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THIRD REPORT
OF
THE ROYAL COMMISSIONERS
APPOINTED TO INQUIRE INTO
ENDOWED SCHOOLS AND HOSPITALS
(SCOTLAND),

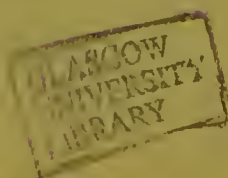
WITH APPENDIX IN TWO VOLUMES.

Presented to both Houses of Parliament by Command of Her Majesty.



EDINBURGH:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE
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1875.



ENDOWED SCHOOLS AND HOSPITALS
(SCOTLAND) COMMISSION.

VICTORIA R.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

To our trusty and well-beloved SIR THOMAS EDWARD COLEBROOKE, Baronet; our right trusty and right well-beloved cousin, ARCHIBALD PHILIP, EARL OF ROSEBURY; our trusty and well-beloved SIR WILLIAM STIRLING-MAXWELL, Baronet; our trusty and well-beloved CHARLES STUART PARKER, Esquire; our trusty and well-beloved JOHN RAMSAY, Esquire; our trusty and well-beloved HENRY HILL LANCASTER, Esquire, Advocate; and our trusty and well-beloved ALEXANDER CRAIG SELLAR, Esquire, Advocate, Greeting :

Whereas the Knights, Citizens, and Burgesses and Commissioners of Shires and Burghs in Parliament assembled have presented an humble address to Us, praying that we will be graciously pleased to issue a Royal Commission to inquire into the nature and amount of all Endowments in Scotland, the funds of which are wholly or in part devoted, or have been applied, or which can rightly be made applicable to Educational purposes, and which have not been reported on by the Commissioners under the Universities (Scotland) Act, 1858; also to inquire into the Administration and Management of any Hospitals or Schools supported by such Endowments, and into the System and Course of Study respectively pursued therein, and to Report whether any and what changes in the administration and use of such Endowments are expedient, by which their usefulness and efficiency may be increased.

Now, know ye that We, reposing great trust and confidence in your zeal, discretion, and ability, have authorized and appointed, and do by these Presents authorize and appoint you, the said SIR THOMAS EDWARD COLEBROOKE, ARCHIBALD PHILIP, EARL OF ROSEBURY, SIR WILLIAM STIRLING-MAXWELL, CHARLES STUART PARKER, JOHN RAMSAY, HENRY HILL LANCASTER, and ALEXANDER CRAIG SELLAR, to be Our Commissioners to inquire into the nature and amount of all Endowments in Scotland, the funds of which are wholly or in part devoted, or have been applied, or which can

rightly be made applicable, to Educational purposes, and which have not been reported on by the Commissioners under the Universities (Scotland) Act, 1858; also to inquire into the Administration and Management of any Hospitals or Schools supported by such Endowments, and into the System and Course of Study respectively pursued therein, and to report whether any and what changes in the administration and use of such Endowments are expedient, by which their usefulness and efficiency may be increased.

And for the purpose of enabling you, Our said Commissioners, to make the said inquiries, We do hereby authorize and empower you to call before you, or any three or more of you, all such Persons as you may judge most competent, by reason of their knowledge or experience, to afford you correct information on the subject of this inquiry, and also to require the production of all Books, Records, Documents, Papers, and Accounts, which may appear to you, or any three or more of you, calculated to assist your researches in the execution of the Trust hereby reposed in you, and to inquire concerning the premises by all other lawful ways and means whatsoever. And We do hereby command and require you to report to Us, in writing under the Hands and Seals of any four or more of you, as soon as the same can reasonably be done, and if necessary from time to time, your several proceedings by virtue of this Our Commission.

And We further will and command that this Our Commission shall continue in full force and virtue, and that you, our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do hereby nominate and appoint Our trusty and well-beloved SIMON SOMERVILLE LAURIE, Esquire, Master of Arts, to be Secretary to you, Our said Commissioners, and to attend to you, whose services and assistance We require you to use from time to time, as occasion may require.

Given at Our Court at Saint James's, the Twelfth day of September Eighteen hundred and seventy-two, in the Thirty-sixth year of Our Reign.

By Her Majesty's Command,

H. A. BRUCE.

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REPORT.

INTRODUCTION.

WE, the Commissioners appointed by your Majesty, on the 12th day of September 1872, 'to inquire into the nature and amount of all Endowments in Scotland the funds of which are wholly or in part devoted, or have been applied, or which can rightly be made applicable, to Educational purposes, and which have not been reported on by the Commissioners under the Universities (Scotland) Act, 1858; also to inquire into the administration and management of any Hospitals or Schools supported by such Endowments, and into the system and course of study respectively pursued therein, and to report whether any and what changes in the administration and use of such Endowments are expedient by which their usefulness and efficiency may be increased,' humbly submit to your Majesty the following Report:—

Our Commission imposed on us, in the first place, the duty of furnishing, so far as possible, a complete record of all the Endowments in Scotland held wholly or in part for Educational purposes. Our attention was directed specially to the Hospitals, and large Endowed Schools, as the most important. At the same time, the numerous small Endowments scattered over the country, and hitherto applied to the maintenance or improvement of Schools chiefly Elementary, acquired new interest from the fact that the Education (Scotland) Act of 1872 had changed the management of a great number of these Schools, and would gradually affect many more, by absorbing voluntarily-supported Schools into the Public School system. Regarding all these we made careful inquiry.

We had some difficulty in defining our course of action with reference to those Endowments which 'can rightly be made applicable to Educational purposes.' We desired to adopt such an interpretation of this part of our commission as would not excite alarm in the minds of the Trustees of charitable funds generally, while at the same time we gave effect to its real purpose. This

purpose we held to be the ascertaining and recording of those Endowments throughout the country which had ceased to be applied to their original objects, or which, in the opinion either of their administrators or of those who were locally interested in their administration, had become, through change of circumstances, harmful or comparatively useless.

The Commissioners under the Universities (Scotland) Act, 1858, were at liberty to modify the conditions attaching to those Endowments only which had taken effect fifty years before their appointment. Assuming that only those prior to that date were covered by the Report made by them to your Majesty in 1863, we included in our inquiries all University Endowments subsequent to 1808.

Method of inquiry.

With a view to carry out our commission as thus interpreted, we first directed Circular Letter 1, accompanied by Schedule 1,* to be issued to the Clergy of all denominations, Registrars, Inspectors of Poor, and Town Clerks, and we opened a correspondence with various parts of the country as occasion required. The object of this Schedule was to ascertain the amount and nature of all Educational Endowments, and of those which could 'rightly be made applicable' to Education. We compared the various returns sent in, renewed our inquiries in a large proportion of cases, and embodied the result in statistical tables, which are issued in two parts as an Appendix to this Report, and Summaries of which will be found in this Volume.

We then classified the Endowments, in order to carry out effectually that part of our commission in which our attention seemed to be specially directed to Endowed Hospitals and Schools. We were instructed to inquire into the administration and management, and also into the system and course of study pursued in these Institutions, and 'to report whether any and what changes in the administration and use of such Endowments are expedient.' In order to obtain the information necessary as the preliminary of our inquiries under this head, we issued Schedule 2† to the administrators of Hospitals, and Schedule 3‡ to the administrators of Endowed Schools.

At the same time we separated from the mass of Endowments those which are connected with no special institution, but which were left (wholly or in part) for the promotion of Education in certain districts of country under various conditions. Such are the Dick, Milne, Ferguson, and Philp Bequests.

We communicated also by circular§ with the Universities.

* *Vide* Appendix, Vol. II.

† App., Vol. II.

‡ App., Vol. II.

§ App., Vol. II.

On all the above heads of inquiry respectively, we also called Evidence. for oral evidence from those engaged in the administration of Endowments, and from others who had enjoyed special opportunities of knowing the working of them.

We had evidence from 103 witnesses; among whom were Trustees and Governors of the various Institutions under our consideration, Principals and Professors of the Universities, Headmasters of important Schools, four of your Majesty's Inspectors of Schools, representatives of the Edinburgh Trades' Council, and others who had given special attention to the subjects regarding which we sought information.

We were also much indebted to the Third Report of the Education (Scotland) Commission presented to your Majesty in 1868, Education Commission (Scotland), 1864. and especially to the Reports of their Assistant Commissioners, Messrs. Harvey and Sellar. The Special Reports appended to the General Report of these Assistant Commissioners relieved us from the necessity of making detailed inquiries as to the history and internal organization of Endowed Secondary Schools.

Petty local Endowments in country districts did not appear Petty local Endowments. to call for any detailed investigation; but we obtained full information regarding them, which is classified in the Appendix, Vol. II. We found that about two-thirds of these were destined by the testators either to pay the fees of poor children, or to increase the salary of the parish schoolmaster, and that any opinion which we might form regarding them was in a large measure anticipated by Section 46 of the Education (Scotland) Act, 1872, which provides as follows:—

‘When, in any parish or burgh, property or money has been or shall be vested in the heritors or kirk-session, or in any person or persons, as trustees for behoof of such parish school, or in the Town Council or in the Magistrates of any burgh, or in any person or persons, as trustees for behoof of the burgh school, or for the promotion of any branch of education in such schools respectively, or to increase the income of any teacher thereof, the income or revenue of such property or money shall, as it accrues, be accounted for and paid to the School Board of such parish or burgh, and shall be applied and administered by the said Board according to the trusts attaching thereto; and the Town Council of every burgh shall, at the term of Martinmas yearly, pay to the School Board thereof such sum as it has been the custom of such burgh, prior to the passing of this Act, to contribute to the burgh school out of the common good of the burgh, or from other funds under their charge, and the same shall be applied and administered by the said School Board for the purpose of promoting higher instruction; and it shall be lawful for the School Board from time to time, with the sanction

of the Board of Education, to vary or depart from the said trusts, with a view to increase the efficiency of the parish or burgh school, by raising the standard of education therein or otherwise; provided always, that nothing herein contained shall prejudice or interfere with the rights of any teacher or retired teacher of a parish or burgh school under any contract subsisting at the passing of the Act.'

Large local
Endowments.

Some local Endowments in country parishes, however, being on a larger scale than usual, or involving certain principles of importance, seemed to demand further investigation; and accordingly our Secretary personally visited the localities in which these were situated, and reported on them.*

Endowments
in large towns.

The Endowments in the large towns of Edinburgh, Glasgow, Dundee, and Aberdeen, will be found tabulated apart,† as they were on a scale which justified separate investigation and treatment. To complete our information with respect to these, as well as to supplement the evidence before us on Endowments generally by the results of personal inquiry, we have had the services of Mr. J. M. D. Meiklejohn, as Assistant Commissioner.

* *Vide* Reports of Secretary and Assistant Commissioner Appendix, Vol. I.

† Appendix, Vol. II.

I.—AMOUNT AND KIND OF ENDOWMENTS.

THE results of our inquiry into the amount and kind of Endowments will be found tabulated at the end of this volume.

The general result is as follows :—

	Annual Revenue.	General result.
I. <i>Hospital Endowments</i> ,	£79,245	
II. <i>School Endowments</i> :		
1. Endowments <i>mainly</i> in connection with Parochial (now Public) Schools, and other Schools in which Elementary Instruction is chiefly given,	£42,979	
2. Endowments <i>mainly</i> in connection with Burgh and Grammar (now Public) Schools and other Schools in which Higher Instruction is chiefly given,	16,550	
	<hr/> 59,529	
III. <i>General Endowments</i> :		
<i>i.e.</i> Endowments not appropriated to any particu- lar Institution,	17,118	
IV. <i>Mixed Endowments</i> :		
<i>i.e.</i> Endowments partly charitable and partly edu- cational,—for Education, say	18,640	
	<hr/>	
Total of Hospital and School Endowments,	£174,532	
V. <i>University Endowments</i> :		
Since 1808,	22,020	

These Endowments may be more fully set forth as follows :—

I. *Hospital Endowments* :

Edinburgh and Vicinity,	£59,770
Aberdeen,	9,646
	<hr/>
Carry forward,	£69,416

14 ENDOWED SCHOOLS (SCOTLAND) COMMISSION.

Brought forward,	£69,416	
Dundee,	3,500	
Other Districts,	6,329	
	<hr/>	£79,245

II. *School Endowments:*

(1.) Endowments in connection with Schools in which Elementary Instruction is chiefly given : In Aberdeen, Dundee, Edinburgh, and Glasgow,	£19,090	
Rest of Scotland,	23,889	
	<hr/>	42,979*

(2.) Endowments <i>mainly</i> in connection with Burgh and Grammar (now Public) Schools in which Higher Instruction is chiefly given : In Burghs,	£10,793	
In Rural Districts,	5,757	
	<hr/>	16,550†

III. *General Endowments:*

i.e. Endowments not appropriated to
any particular institution:

Wholly Educational:

Dick Bequest,	£4,300	
Philp Bequest,	2,380	
Milne Bequest,	1,900	
Maclean Bequest,	670	
Society for Propagating Christian Knowledge,	6,500	
Bell Bequest Residue, etc.,	770	
Other funds,	598	
	<hr/>	17,118

IV. *Mixed Endowments:*

i.e. Endowments, partly Educational,
partly Charitable, or for other purposes:

Hutcheson's Hospital (net),	£14,000	
Stirling Hospitals,	3,660	
Gillespie's Hospital,	1,700	
Carry forward,	£19,360	£155,892

* Of this a portion may be regarded as applicable to Secondary Instruction. See explanation, p. 79.

† Of this a portion may be regarded as applicable to Elementary Instruction. See p. 79.

Brought forward, . . .	£19,360	£155,892
Ferguson Bequest,	16,080	
Hutton Bequest,	900	
	<hr/>	
	£36,340	
Of which sum applicable to Education, say		<hr/> 18,640
Total in Scotland, . .		£174,532

V. *University Endowments:*

Since 1808:

Foundation of Chairs,	£8,133
Fellowships, Scholarships, and	
Prizes,	7,211
Bursaries,	6,676
	<hr/>
	£22,020

These are distributed among the Universities as follows:

Since 1808:

St. Andrews,	£1,448
Glasgow,	6,306
Aberdeen,	3,986
Edinburgh,	8,748
Common to more than one University,	1,532
	<hr/>
	£22,020

I. *Hospital Endowments.*—If we exclude University Endowments, nearly one-half of the total Educational Endowments of Scotland is devoted to the support of Hospitals—that is, charitable institutions in which boys and girls are fed and clothed as well as educated, from the age of seven to fifteen. These Hospitals are chiefly situated in Edinburgh and its vicinity.

Full returns from the Hospitals have been issued in our First Report, and a summarized statement, made up from these returns and other documents, will be found in Appendix, Vol. I.

II. *School Endowments.*

(1) *Endowments in connection with Schools in which Elementary Instruction is chiefly given.*—The Parochial Endowments for Educational purposes other than the maintenance of Hospitals or Schools for Higher instruction amount to £42,979 per annum. Of the above sum, £19,090 is spent in the four largest burghs of Scotland in maintaining, or

Hospital Endowments.

School Endowments chiefly for Elementary Instruction.

16 ENDOWED SCHOOLS (SCOTLAND) COMMISSION.

contributing to the maintenance of, Schools in which Elementary instruction is chiefly given. The Endowments fall into six classes, as follows:—

	Endowed Schools, chiefly for Elementary Instruction.			Addition of Salaries to Teachers, chiefly in Parochial Schools.			Payment of Fees for Poor Children in Parochial and other Schools.			School Bursaries and Prizes, partly for Higher Instruction.			Educational purposes generally, partly Elementary, partly Higher.			Endowments not yet in Operation, partly for Elementary, partly for Higher Instruction.		
	£	s.	D.	£	s.	D.	£	s.	D.	£	s.	D.	£	s.	D.	£	s.	D.
In the four large Burghs,	11,726	6	7	487	7	1	1287	1	4	1928	15	6	274	15	6	3385	15	8
In other parts of Scotland,	9856	16	8	4069	12	4	3451	1	10	1935	8	9	1161	8	1	3414	6	10
TOTAL, .	21,583	3	3	4556	19	5	4738	3	2	3864	4	3	1436	3	7	6800	2	6
GRAND TOTAL, . . . £42,978, 16s. 2d.																		

The geographical distribution of the Endowments in rural districts will be found in Table II. appended to this volume. Excluding the four largest towns, the counties of Aberdeen, Ayr, and Fife enjoy about one-fourth of the whole. In the Appendix to this Report, Vol. II., all these Endowments, their amount and destination, will be found recorded.

School Endowments chiefly for Secondary Instruction.

(2) *Endowments mainly in connection with Burgh and Grammar (now Public) Schools, in which Higher Instruction is chiefly given.*—The Endowments for the maintenance and improvement of Burgh and Grammar Schools, and Schools in which Higher instruction is chiefly given, are of comparatively small amount. Including payments from the ‘common good’ of burghs,—a source of income now made perpetual by Section 46 of the Education (Scotland) Act, 1872,—they amount only to £16,550. Even of this small sum nearly two-thirds are absorbed by eleven institutions, viz. the High Schools of Edinburgh, Dundee, and Glasgow; the Grammar School of Aberdeen; Neilson’s Institution, Paisley; Dollar Institution; Wallace Hall Academy, Dumfriesshire; the Madras Colleges of St. Andrews and Cupar-Fife; Morison’s Academy, Crieff; and Milne’s Institution, Fochabers. Apart from these eleven Institutions, the provision by Endowment for Higher instruction in separate schools is only £6954 per annum.

Full returns from this class of Schools will be found in our Second Report.

General Endowments.

III. *General Endowments.*—Under the head of ‘General Endowments,’ are included Endowments which are not attached to any one

* *Vide* Table II., appended.

institution, but are applicable rather to districts of country, under conditions prescribed by the testator or his trustees. A summary of these Endowments is given above on p. 14. The Dick Bequest is applied to 'elevate the literary character of the parochial schoolmasters and schools,' and to reward efficiency in the discharge of duty, in the rural parishes of Aberdeen, Banff, and Moray. The Milne Bequest is mainly applied in the payment of fees of poor scholars in the county of Aberdeen, subject always to the condition of efficiency on the part of the teacher. The Philp Bequest is devoted to the support of Elementary Schools and the clothing of scholars in a small district of Fife, in the vicinity of Kirkcaldy. The funds of the Society for Propagating Christian Knowledge have hitherto been almost wholly devoted to making payments to schoolmasters in poor districts throughout Scotland.

IV. *Mixed Endowments*.—Of the Mixed Endowments, partly educational, partly charitable, the Hutcheson's 'Hospital' fund, Glasgow, has increased, since the Commission began its sittings, from £11,000 to £14,000 a year. The Ferguson Bequest, which yields a revenue of £16,000 a year, is, under the will of the testator, applicable to Educational and Mission purposes, in the first instance in the counties of Ayr, Kirkcudbright, Wigtown, Lanark, Renfrew, and Dumbarton, and thereafter in other parts of Scotland. The Stirling Hospitals' funds amount to £3660 per annum, of which the Special Commissioners appointed under the Endowed Institutions (Scotland) Act, 1869, recommended that £2940 be devoted to Education.

Mixed Endowments, partly charitable, partly educational.

A detailed statement of both the General and the Mixed Endowments, and of their application, will be found in the Appendix to this Report, Vol. I.

V. *University Endowments*.—The University Endowments on which we report include, as we have already stated, all those founded since 1808. Many of these must have come under the notice of the Commissioners under the Universities (Scotland) Act, 1858; but as they were restricted in their suggestions of alteration or modification to Endowments founded prior to 1808, we began from this latter date.

University Endowments.

A detailed statement of these Endowments will be found at the end of our Second Report.*

We have also obtained information respecting considerable Endowments not yet in operation, such as the Spier Bequest at Beith, in Ayrshire, and several bequests in Glasgow and elsewhere.

Endowments not yet in operation.

* A supplementary table is printed at the end of the Appendix to this Report, Vol. I.

Charitable
funds which
might be ap-
plied to Educa-
tion.

A supplement to the Statistics of Endowments in connection with Schools (chiefly Elementary)* contains information regarding funds available for charitable purposes, which, in the opinion of some of those making the returns, might be more serviceable to the community if wholly or partly applied to Education. Such are the Guildry Funds of Aberdeen;† the Gibson Bequest, of £1000 a year, for almshouses in St. Andrews; the Bruce Bequest, of £1400 a year, for the poor of the Presbytery of Deer; and the Moore Fund, in Cardross, of the value of £400 a year.

Geographical
distribution of
Endowments.

The geographical distribution of the Endowments is very unequal, but, generally speaking, they may be said to cluster round the great centres of industrial and intellectual activity. Of the total revenue, which, excluding University Endowments, amounts to £174,532, about £112,000 are localized in and around the four chief towns, Edinburgh, Glasgow, Dundee, and Aberdeen.

Summary in
Appendix.

In the Tables appended to this volume, the statistical results of all our inquiries are gathered together. We believe that these contain a complete summary of the Educational Endowments of Scotland, with the exception of those University Endowments, prior to 1808, which did not come within the scope of our inquiry.

We proceed now to treat of the administration and use of Endowments more in detail, following the order in which they have been already presented in this chapter, as being that which gives the most intelligible view of the Educational Endowments of Scotland as at present applied.

* *Vide* Appendix, Vol. II.

† *Vide* p. 156, also Appendix, Vol. II.

II.—HOSPITAL ENDOWMENTS.

Hospitals generally.

ABOUT one-half of the Educational Endowments in Scotland are devoted, under the wills of the testators, to the support of Hospitals.

Originally the term Hospital was applied to a house for the maintenance of the poor. In the case of Cowane's Hospital, in Stirling, the foundation was devoted to building or erecting an Hospital or Almshouse, and for the entertaining and sustaining therein twelve decayed Guild brethren. Spittal's Hospital, also in Stirling, would appear to have been of similar origin. Hutcheson's Hospital, in Glasgow, may be taken as a type of this class. This Endowment was directed to be invested in land, 'to be edified and made ane perfyte Hospital for entertainment of the poor, aged, decrepit men to be placed therein.' The school in connection with it was an afterthought, funds being provided by a later deed for erecting, 'in a whole continuous work with the Hospital, a commodious and distinct house by itself, for educating and harbouring of twelve male children.' Gillespie's Endowment, Edinburgh, is stated in the founder's testament to be 'for the special intent and purpose of founding and endowing an Hospital or Charitable Institution, within the city of Edinburgh or suburbs, for the aliment and maintenance of old men and women.'

Original use
of the term
Hospital.

These early Hospital establishments have almost ceased to exist. The money formerly devoted to the support of the poor in almshouses is now distributed in quarterly or half-yearly doles, and the buildings have been converted to other uses. Gillespie's Hospital or Almshouse, Edinburgh, was broken up under a Provisional Order, obtained under the 'Endowed Institutions (Scotland) Act' (1869), all the inmates being boarded out, with the exception of a few, who, from various causes, preferred to remain in residence. These were transferred to a very much smaller house, situated on the verge of the Hospital grounds.

These old Hospital Endowments, however, being partly educational in their character, come within our survey, and they will be reported on under the head of Mixed Endowments.

The word Hospital, as applied to an Institution for the maintenance, clothing, and education of orphan or destitute children, was introduced from England, in 1624, by George Heriot, who desired

The term Hospital as now applied in Scotland.

to erect 'ane publick, pios, and charitable worke, . . . in imitatione of the publick, pios, and religious work foundat within the Citie of London, callit Chrystis Hospitall.'

The numerous later Hospitals in Scotland owe their origin to a desire to imitate the work of George Heriot; and from the time of the foundation of that Institution the name 'Hospital' has been chiefly confined to Institutions for the maintenance and education of young people. In a large number of cases the Deeds of Foundation confine the benefits of the Hospitals to certain classes, such as burgesses and freemen, or confer privileges on certain names.

Brief survey of
organization
of Heriot's.

The age of admission to Heriot's Hospital, as to most others, is from seven to ten, and of dismissal from it fourteen, except in the case of 'hopeful' scholars, who remain a year or two longer. The candidates are examined on entrance according to the lowest standards of the Education Code, but the results of this examination do not materially affect the selection of foundationers.

The class of society from which the boys are drawn is the class between the merchant and the operative classes. The children of petty tradesmen and skilled artisans constitute the great mass of the foundationers.

As may be inferred from the age of the pupils, the instruction in Hospitals has almost always been both Elementary and Secondary; following in this respect the precedent of the Parochial and Burgh Schools of Scotland. The curriculum includes the usual English branches of education, and, in addition to these, Drawing, French, Latin, and Greek, and a complete course of Arithmetic, followed by Geometry and Algebra. The House-Governor is head of the whole Institution, and controls the discipline of every department. He also gives instruction in some of the advanced classes.

The pupils lead a secluded life, mixing exclusively with one another, and coming only occasionally into contact with the outer world.*

Although, from the reports laid before us, it is evident that the instruction is carefully given, yet during the last ten years the Hospital has sent to the University as regular students on an average only two boys per annum; and this, however it may be explained, is an indication of want of fitness, vigour, or ambition not usually found among Scottish youth.

Applicable
to Scottish
Hospitals
generally.

This brief account of Heriot's is, generally speaking, applicable to all Scottish Hospitals; but in many cases the foundationers belong to a humbler class of the community than those who seek the benefits of Heriot's. The only Hospitals which provide for poverty in a higher social grade are the Merchant Company's

* One-third of the pupils have, however, been recently non-resident.

Hospitals, John Watson's Institution, and Fettes College—all in Edinburgh; and in these the curriculum is not less extensive than in Heriot's Hospital. Fettes College, which is organized on a wholly different principle, carries boys much further in their studies.

A full account of all the Hospitals in Scotland will be found in the Appendix, Vol. I., and we accordingly refer to it for information which would burden too much the pages of our Report.

Omitting for the present the individual peculiarities of the Hospital Institutions, we have now to report on the working of the Hospital system, and on those aspects of the Hospital question generally, which were brought prominently before us in evidence. We refer to (1) the educational influence of these seminaries on the pupils; (2) the cost of the Hospital system as compared with its results; (3) the conditions of admission; and (4) the relation of the Hospital system to parents.

1. *Educational Influence of the Hospital System.*—For many years prior to our appointment, the seclusion of life which characterized the Hospital system had been the subject of unfavourable criticism. This isolation was not part of Heriot's original intention. In his disposition he gave power to the governors of his Hospital to educate the beneficiaries within its walls, or to send them out for their daily instruction to the Grammar School of Edinburgh; and Dr. Balcanquhall, who had been entrusted by Heriot with the duty of drawing up statutes for the Hospital, ordained that no house instruction was to be given after the boys were competent in the Latin accidence—in other words, after nine or ten years of age—when they were to be sent to the Grammar School, there to remain till they were fit for College, or to be bound as apprentices. It was not till 1695 that the age at which pupils might be sent to the High School was raised to eleven complete; and it was only in 1742 that the practice of confining the senior as well as the junior boys to the Hospital-house for instruction was formally recognised.

The evil effects of the close system of life and education which was then begun were the subject of discussion more than thirty years ago, and the feeling against it found expression in certain proposals of Lord Provost Sir Wm. Johnston, who in 1844, among other reforms of an important character, moved the limitation of the number of beneficiaries, and the boarding of them in their own families or in families selected by the Governors. Sir Wm. Johnston's proposals were not adopted.

In 1863 Dr. Bedford, Governor of Heriot's Hospital, drew atten-

The Hospital question.

Educational influence.

History of Hospital reform in Scotland.

Reforms proposed by Sir W. Johnston,

Dr. Bedford, 1863.

tion to the defects inherent in the close system, in a paper read by him before the Social Science Association in Edinburgh.

Recommendation of Scottish Education Commission, 1868.

The Education (Scotland) Commission, 1864, directed attention to the revenues of the more important of the Hospitals in their Third Report (1868), and in their recommendations they say:—
‘We recommend that, without prejudice to the powers of the trustees of Hospitals, it shall be the duty of the General Board to examine the statutes and rules of their foundations, and, subject when necessary to the approval of Parliament, to make alterations therein with a view to the extension of Education.’*

Merchant Company and Mr. Simon S. Laurie, 1868.

In the same year the Merchant Company of Edinburgh, who were governors of four Hospitals, requested Mr. Simon S. Laurie to report on them, and to submit the results of his inquiry into the Hospital system as a whole. Mr. Laurie had also about the same time reported on Heriot’s and Donaldson’s. Along with his reports on the separate Institutions, Mr. Laurie submitted remarks on the Hospital system, in which he pointed out the nature of the hurtful influences inseparable from Hospital life, and traced these to their sources. These reports contributed to the movement for reform. By a minute passed in July 1869, it was resolved by the Merchant Company, under the presidency of Mr. James Duncan, to give their earnest support to the recommendations of Mr. Laurie, and they expressed their ‘cordial concurrence with him in thinking that the governors should take measures towards breaking up the monastic character of such Institutions as George Watson’s Hospital.’ The Report of the Committee concluded by saying that they had ‘authority for stating that the governors of other Hospitals are now preparing to follow some of the recommendations submitted in their Report, in so far as these affect the real objects in view,—the endeavouring to assimilate the condition of young people in Hospitals to that of children in the outer world, and of maintaining and fostering, as far as possible, the ties, attractions, and virtues of home.’

Endowed Institutions (Scotland) Act, 1869.

This movement of the Merchant Company led to the passing, in 1869, of ‘An Act to make provision for the better Government and Administration of Hospitals and other Endowed Institutions in Scotland.’ By this Act, governors and trustees of Hospitals and other Endowed Institutions were empowered to apply to the Secretary of State for Provisional Orders, when they had resolved, by a majority, to make provision ‘for the better government and administration of the Institutions over which they presided, and’ for the better ‘application of the revenues thereof, whereby the usefulness and efficiency of the Hospitals and Institutions’ might

* Third Report, 1868, p. xxvii.

'be increased, and the benefits thereof extended.' The Secretary of State was empowered to grant such Orders, which, after being laid before Parliament, were, if not opposed, to come into operation. The history of the Act is shortly described in the evidence of Mr. T. J. Boyd,* who had succeeded to the Mastership of the Merchant Company, and, aided by the treasurer, Mr. Knox, carried out the reforms initiated under the presidency of Mr. Duncan.

Under this Act the Merchant Company without delay obtained Provisional Orders, enabling them to put an end to the monastic character of their Hospitals, to introduce a certain amount of competition among applicants for admission on the various foundations, and to extend to the citizens generally the benefit of the education which the Hospitals afforded, by converting them into day schools, at which a good Elementary and Secondary Education could be obtained at a moderate cost. Further details regarding the reforms instituted by the Company, as these affected the various Institutions under their control, are given more at length in the Appendix, Vol. I. They are referred to here on account of the evidence which they afford of the strong feeling which prevailed regarding the Hospital system, and to supersede the necessity of any lengthened statement on our part in proof of the growing public desire to alter its character. The Company claim, with justice, to have taken the lead in Hospital reform, and to have obviated by their alterations many of the objections which were urged against Hospital institutions.

The only other Institution which succeeded in obtaining a Provisional Order under the Act was Bathgate Academy. An application was made for an Order by the Governors of Heriot's, and steps were taken with the same object by various Institutions throughout Scotland; but further progress was stopped by the Home Office declining, under the advice of its law officers, to sanction the schemes presented to them, on the ground that they went beyond the powers conferred by the Act. Lord Advocate Young then introduced a Bill, in July 1872, to continue and amend the Act. By this Bill it was proposed to continue the previous Act to 31st December 1874, and to sanction a departure from trusts and the consolidation of trusts. It was also proposed that any Provisional Order approved by the Education Department should take effect if unopposed in Parliament. After being read a second time, the Bill was withdrawn; and this Commission was thereafter appointed to make inquiry into the Endowments of Scotland, and to report on the administration of them.

Passing from the history of the public movement for reform,

* Evidence, 339 *et seq.*

Evidence. we found in the evidence given before us ample confirmation of the prevalence of a conviction that the Hospital system is educationally hurtful, and full justification of the steps which had been taken to reform it. This evidence came not only from those who had watched its operation from the outside, but also from those who were engaged in its administration officially or as instructors.

Referring to a paper written by Dr. Bedford, the Head-Master of Heriot's Hospital, the Chairman asked :

Dr. Bedford's evidence.

'522. In that paper you stated that hospital-trained children are said to be "far more wanting in ordinary intelligence, are less smart and docile, and exhibit less affection for home and relations, than other children that have had inferior domestic and educational advantages?"—I said that that was the opinion of many observing and influential persons.

'523. Do you to a certain extent hold that opinion?—Yes. I stated it at the time with the view of considering whether it was correct or not; but I have no hesitation in saying that I considered it then substantially correct in reference to Heriot's Hospital, with which I was familiar. . . .

'527. Do you consider that that system had a very depressing effect upon the children?—Very depressing at that time.

'528. And a depressing effect also upon the teachers, who found difficulty in dealing with children so trained?—Extremely so. Before I came to Edinburgh, I was head-master of a school in England. I have thus had an opportunity of judging how easy it was to teach boys there, as compared with boys in Heriot's Hospital. The same opinion is held by every intelligent man I have conversed with that has had connection with the free day-schools and also with the Hospital.'

The modification of opinion to which Dr. Bedford refers was due to the improvements which had been introduced in 1868, viz. the admission of a certain proportion of non-resident pupils, and other minor relaxations of Hospital regulations.

The Rev. James Currie, Principal of the Church of Scotland Training College in Edinburgh, who was first a pupil and thereafter a master in Heriot's Hospital, gave evidence to the same effect:—

Rev. J. Currie's evidence.

'1425. From that experience, what is your opinion of the hospital as an educational establishment?—Generally speaking, my opinion is unfavourable to it, although I should require to go somewhat into details to set forth the grounds of that opinion. It is necessary to look at the hospital under two aspects: first, as a school; and second, as a place of living.

'1426. First, with regard to education, what is your opinion?—With regard to the education given in the hospital, I think that, looked at *per se*, it may be good or bad, just as in any other school. I have known it both: good in some departments, defective in others. But whilst I have known as good teaching in Heriot's Hospital as I have ever known out of it, still I would say that the instruction, however good, does not, from the circumstances of the hospital life, produce the effects that it would in other circumstances.

'1427. To what circumstances of the life in the hospital do you refer?—To three in particular:—(1.) To the want of wholesome influence,

acting by sympathy, example, and friendly counsel. (2.) To the narrowness and monotony of hospital life; presenting, as it does, but few points of contact with real life, and wanting that amount of change among its pupils that is necessary to prevent stagnation. (3.) To the conscious want of freedom, or sense of confinement and restraint, which is constantly present to the minds of the inmates.

'1428. Do you mean what are popularly described as the monastic habits of the institution?—That describes it in a popular way. I think there is a want of certain elements on which the moral nature grows—a want of what may be compared to the light and air and free motion which we associate with the idea of growth in physical life. Then the public opinion in the hospital, according to my experience, is just substantially what the boys themselves make it; and in these circumstances, of course, it tends to degenerate. There is nothing like a sixth form to come between the head of the hospital and the boys.

'1429. Will you explain what you mean by the public opinion being what they make for themselves?—In every class of boys, unless there be a distinct counteractive agency, I think the coarser and less modest and less reverential come to the front, and assume to determine the tone of the class. I think there requires to be a distinct agency set at work to counteract that. Now my experience was, that in the hospital there was not such an agency, and I think there can hardly be a sufficient agency to counteract that influence. In that way the moral tone of the place always tends downwards.

'1430. Is that from the boys living so entirely secluded?—It is from their living so entirely among themselves, and from the want of example and sympathy, and those influences which a boy at home comes constantly into contact with.

'1431. That, I suppose, you think would not be remedied by the boys being kept longer at the college, and thus leaving at an older age?—No; on the contrary, I think the longer the time, the worse the influence of the system is, provided it begins to act from the early age at which it does.'

In reply to the question whether he found greater difficulty in teaching Hospital boys than he found in teaching others, he says: 'Yes; the results of good teaching are less under the Hospital system than the results of the same teaching would be in an open School.'

Mr. David Pryde, formerly a teacher both in George Watson's Hospital and in the Merchant Maiden, and now Head-Master of the Young Ladies' Educational Institution under the Merchant Company, gave evidence that he found the Hospital pupils 'duller than ordinary boys.'

Dr. Findlater, formerly Governor of Gordon's Hospital, Aberdeen, Dr. Findlater. says: 'As to the effects on the pupils, with reference to the intellectual instruction in the first place, I would sum up the difference between boys in an Hospital and those living at home in a single expression,—the want of receptiveness.' The advantage which the master had in being able to secure regular attendance 'was more than counterbalanced by an unwonted amount of passive resistance,—the peculiar *vis inertiae* of Hospital existence.'

Mr. Kerr.

Mr. Kerr, one of Her Majesty's Inspectors of Schools, who had examined various Hospitals in Aberdeen, says of the pupils 'that they are under the disadvantage of a very unnatural system.'

Mr. Jolly.

Mr. Jolly, one of Her Majesty's Inspectors of Schools, formerly a teacher in George Watson's Hospital, says in his evidence :

'The *intellectual* evils (of hospital life) are dulness in perception and understanding, and a peculiar intellectual inertness and heaviness. Every one teaching in an hospital feels this very much. You cannot get the boys to work hard, though you appeal to them ; and you have to put more energy into the teaching of an hospital class than any other. You have to waste yourself to inspire them with *vis*, and you get very little return. You have to work much harder to produce any result than with another set of boys. This intellectual dulness also manifests itself in a difficulty of interesting them, and rousing them to mental effort. It also exhibits itself in a lower power of attention, and a less strength of memory, than in the case of out-door boys. On revisal, you are astonished how little they have retained. Intellectual power is also smaller than it would be on another system ; and intellectual eminence in hospital boys is very rare. The system also produces a want of intellectual self-reliance, and self-sustained intellectual effort.'

Dr. Ogilvie.

Dr. Ogilvie, formerly Head-Master of Daniel Stewart's Hospital, and now Head of George Watson's College Schools, refers in his evidence to the 'depressing influence' which pervaded the pupils, and the selfishness which they exhibited. And when examined as to the educational results, he states that, in his experience, the teachers had to expend 'double the amount of labour to produce the same educational results as are produced in a Public School.'

Mr. T. J. Boyd.

Those who had been concerned with the administration of Hospitals, or had had opportunities of observing their working, gave evidence equally decided. Mr. T. J. Boyd, who, as Master of the Merchant Company, carried through the reforms which were authorized by the Provisional Orders granted under the Endowed Institutions (Scotland) Act, 1869, says :

'There has been a very strong and growing feeling in Scotland against what is known as the hospital system ; and, happily, people generally are now coming to believe in the truth of the saying that children should be brought up in families, not in flocks. The education of large numbers of children apart from their parents, relatives, or friends, and without their having almost any intercourse with other persons except the officials of the hospital establishments, was a system unnatural in itself, and not calculated to make them in after life useful members of society. With whatever zeal those who were so brought up might be trained morally and intellectually, many were found, on the completion of their education, to be devoid of that general intelligence which is acquired from intercourse with friends in the home circle ; and when they left the hospitals to begin the business of life, they were, as a rule, unable to take their places with others whose scholastic training had not been superior, but which had been carried on under happier circumstances. Altogether, it was felt that, in return for the large sum of money expended upon them, comparatively small benefits were derived ; and it was to abolish this

state of things that the educational scheme of the Merchant Company was devised.'

Dr. Lyon Playfair says: 'When I formerly looked closely into the system, I found a very strong opinion against the Hospital system, both as regards the parents who sent their children, and the children who were sent. My opinion was, that the first thing was to break up what is called the monastic system, by which the children were taken away from their parents and immured in these Hospitals, because that produced a paralysing effect on the children, and a pauperizing effect on the parents.'

Dr. Lyon Playfair.

Sir Alexander Grant, Principal of the University of Edinburgh, who is a trustee of several Hospitals, condemns the system on similar grounds.

The unsatisfactory results of Hospital training in respect of instruction were also the subject of evidence. The very limited extent to which a machinery so large, and worked at so great a cost, sends out pupils desirous of distinguishing themselves in any profession, or of prosecuting their studies beyond the limited range of the Hospital curriculum, seems in itself conclusive as to the inherent defects of the system: especially when we compare these meagre results with those of the Parish Schools, which contribute so largely to the ranks of University students and to the learned professions in all parts of the Empire.

Results of instruction also unsatisfactory.

That certain incidental advantages belong to the system is undoubted. Unbroken regularity of attendance is secured, regular and wholesome meals are provided, and the children are consequently healthy. But the less apparent moral and intellectual evils, as to which we had ample evidence, are, in our opinion, so great as to outweigh all other considerations.

Advantages of Hospital system.

In so far as these evils flow from the monastic character of the system, the remedies are obvious. Were Hospitals thrown open to day scholars, or were the foundationers sent out to day schools, the mischief would be considerably lessened; but we are of opinion that it cannot be altogether removed except by boarding out the foundationers in respectable families, and confining the Hospital buildings to the uses of a day school, to which the general public should have admission at a moderate cost. In this way children from the outer world would mix on an equal footing with the foundationers, and bring freshness and variety into their lives. For a certain class of orphan foundationers, who could not be advantageously boarded out, it might be necessary to have boarding-houses; but these should be so restricted in the number of their residents as not to lose the domestic character.

Remedies for evils pointed out.

The only evidence we received which seemed to us to point to a retention of the Hospital system as better than boarding

Objections to boarding out.

out was in the case of Donaldson's Hospital, where a large proportion of the children are deaf mutes. And even this evidence did not in any way impugn the position that a system of boarding out was in itself generally preferable for the foundationers, both morally and intellectually, but only brought into prominence the difficulties in the way of finding families who would have the confidence of the governors. The class of foundationers in this large institution is humbler than in most others, if we except the Orphan Hospital of Edinburgh and some Hospitals in Aberdeen; and the Treasurer (Mr. Cook) and the Governor (Rev. D. Balsillie) give it as their opinion that the moral training which the boys and girls receive in the Hospital is better than any they could expect to receive in the class of family—mechanics and day-labourers—to which the children belong.

Mr. J. Cook

'4187. Has it ever been under the consideration of the governors whether the hearing children should be boarded out?—*Mr. Cook.*—Never.

'4188. Or whether the establishment should form part of any out-door school?—Never.

'4189. In your opinion, would it be an improvement on the system to do so?—I think it would be the opposite.

'4190. Would you state why?—In the first place, the situation of the institution would not be very well calculated to bring children of the same class to attend it; and I think if you got other children from the town,—children of the same class,—the chances are they would injure the education of the others rather than promote it.

'4191. Very strong representations have been made to the Commissioners as to the disadvantages of what is called the hospital system, and the importance of having the hospitals connected with day schools; but that is not your opinion?—It is not my opinion, from what I have seen.

'4192. Nor the opinion of your colleagues?—Nor the opinion of my colleagues. It has never been proposed to bring children in as day pupils.

'4193. That is a matter which has not been under your consideration, and you desire to maintain the hospital in its present condition?—I think we must maintain it in its present condition in its situation; but I can only speak my own opinion, for the governors have never come to a resolution on the subject.'

'3811. But on other grounds, apart from the interests of your mnte pupils, would it be desirable, in your opinion, to discontinue the system of having the boys in the institution?—*Mr. Balsillie.*—If the governors went to the expense of providing suitable board for the hearing children outside, then it would be more to the advantage of the hearing children to be well boarded out than to reside in the hospital.

'3812. What do you mean by well boarded out? Is it the nature of the provision made for the children in the boarding-house, or does it refer to the character of the individuals with whom they are boarded?—Our children are taken from the class of mechanics and common labourers. If boarded out, are they to be boarded in families of that class? If so, they would not be nearly so well taken care of as they are in the hospital.

'3813. Would you regard it as the duty of the trustees to provide for those children better than their parents could have provided for them if they had remained with them?—No; but while a common labourer may, from his feelings as a father, manage his own child well, he may not take the same interest in another man's child. That is the difference.

'3814. Are a considerable proportion of the parents of the children not resident in Edinburgh or the neighbourhood?—I think the majority of the hearing children belong to Edinburgh; and as a proof of that, I think 127 of them visit in town on Saturday. So that they have friends, at any rate, if not relatives in town. But a great many of our children also come from the country districts.

'3815. With reference to these 127, do you not think it might be desirable to place them under such relatives as they visit? Would that not be more beneficial for the children than continuing to retain them in the institution?—I am very doubtful if it would.

'3816. On what ground?—Physically it would not be so good for them, because they would not be so well fed, and their clothing would not be so well attended to; and I don't think that that class of people would take such good care of their moral training as is done in the hospital.

'3817. Do you think the intellectual development of a child depends on its food?—Certainly; to a very great extent.

'3818. Are we to understand you to mean, that you think a boy living at home with a respectable though a poor mechanic would be subjected to worse moral influences than he is while living in the hospital?—I think he would; that is to say, living with a mechanic who is not the boy's own father, who has not the interest of a parent in the boy.

'3819. Taking the case of a boy who is living with a mechanic who is his parent or his near relative, do you think he would be subjected to worse moral influences than living in an hospital?—No, certainly not.

'3820. The evils which you anticipate in the houses of those who are not relatives would arise from neglect more than anything else?—Yes.

'3821. And could be to a certain extent modified, could they not, by careful selection on the part of the governors?—It might to some extent; but the difficulty would be to find parties who would feel the responsibility.'

On the other hand, the directors of the Orphan Hospital, where the children are of the humblest class, came to a unanimous resolution in 1870 to board out their children, and do not appear to have attached much importance to the difficulty which at Donaldson's is considered so formidable.* The Poor Law Boards have also for a long period adopted the boarding-out system,—a system highly approved by the Board of Supervision in Scotland, and recently introduced into some parts of England. If a respectable family of the same social class as that to which the child belongs can be found to undertake its upbringing, it seems to us quite practicable to arrange for such superintendence as will obviate the neglect which Mr. Balsillie fears. It may be no benefit ultimately to children to have been lifted out of the reach of the chances and changes incident to the daily life of the class to which they belong, and to have lost the training which they would thus obtain. If they are placed, under proper supervision, in circumstances as favourable as those which would have surrounded them had they not been deprived of their fathers, the main purpose of the charity has been accomplished with respect to them.

Objections met
by Orphan
Hospital.

Pauper chil-
dren boarded
out.

* *I*vide Appendix, Vol. I.

Organization
of Fettes Col-
lege a further
condemnation
of the system.

A further and significant testimony to the judgment which has been pronounced on the Hospital system in Scotland, is to be found in the course followed by the Fettes College Trustees,—the most recent of charitable educational foundations. Sir William Fettes left the residue of his estates ‘to form an endowment for the maintenance, education, and outfit of young people, whose parents have either died without leaving sufficient funds for that purpose, or who, from innocent misfortune during their own lives, are unable to give suitable education to their children.’ This donation was accompanied by a clause which invested the trustees with the ‘most ample and unlimited powers’ for making regulations as to the number of children to be admitted from time to time, etc. The steps taken by the trustees will be best given in the words of one of their number, Lord Justice-General Inglis:—

‘When we proceeded to consider the purposes to which we should apply the endowment, I may take the liberty of saying that I think all the trustees were impressed with a very grave sense of responsibility. The easiest and most direct way of carrying out such a general charitable purpose as was expressed in the will would have been to add one more to the numerous hospitals with which I have no doubt you are all familiar by this time. But the trustees were unanimously of opinion that that was not desirable. They thought that the hospital system, as it has been called, had not been productive of any good, but rather of evil; and at all events they were very clearly of opinion, that even supposing it to be useful in itself, there were already more than enough of such institutions in Edinburgh, and that it was not desirable to add to them. But they objected to the system upon principle; for they were of opinion, in the first place, that poverty should never be by itself a qualification for participating in the benefits of an educational endowment; and in the second place, that the qualification of belonging to privileged classes, such as persons of particular names, or born in particular localities, or whose parents belong to particular guilds or trades, was still worse,—more undesirable, because the result of recognising such qualifications was, in their opinion, not to give the children for the most part a better education than they would have received if the parents had been left to educate them unaided, but rather to place them in a position quite unnatural, and to surround them with comforts and luxuries within the walls of a great institution, which would unsuit them for their true place in after-life. The very regularity and security of the supply of these comforts and luxuries independently of any exertions of their own, seems calculated to give the children on whom they are lavished a false idea of the world, which they will hereafter have to encounter relying on their own exertions only. The trustees were also very clearly of opinion that charities for the purpose of providing for children of the poorer classes only had been carried too far in every point of view,—in Edinburgh I mean; and they could not help reflecting that there was one class of society in which great necessity sometimes existed for aid in carrying on the education of children for which no provision had ever yet been made by any of these charitable institutions. I refer to the case of children of persons in the better classes—professional persons—persons in the army and navy, and in the learned professions—dying prematurely, and not leaving sufficient funds to carry

out the education of their children in a manner suitable to the position in life of the parents; and also to cases in which the parents have suffered during their lives severe and unexpected losses from no fault of their own, but from innocent misfortune, and so have been rendered unable to educate their children in a suitable manner. It occurred to the trustees that the endowment under their management might very well, in so far as it was necessary to give it a charitable character, and in strict accordance with the will of the truster, be devoted to some such object. You will find, accordingly, that in the first set of regulations which they issued, this was set forward as the prime object that they had in view. And that is maintained throughout. They were bound, as they conceived, by the terms of the will under which they were acting, to give the endowment a certain charitable character; and they were desirous to do that not only in the way to be most beneficial for those who might participate in the endowment, but also in such a way as to run the smallest risk of doing public mischief, which they thought had resulted from the manner in which many other endowments of the same kind had been worked out. At the same time, they certainly had in view as one great object, the introduction of something in the nature of public school life as it is known in England, but very little known in Scotland,—I may say not at all known in Scotland; and they thought that they had before them, in the case of some of the English public schools, a very excellent precedent for the establishment of such an institution as now exists: I mean a public school with a charitable foundation as its basis, but with a large superstructure of education and pupils in which there is nothing either of gratuity or charity. I believe I am right in saying that both at Harrow and Rugby the school commenced with a charitable foundation, and there were engrafted upon it in each case, and grew up gradually, those great schools which we now see in these places. The difference in our position undoubtedly was, that we were able from the funds at our command to get on much faster, and to establish a public school, with all the advantages and accessories of such an institution, without any delay.*

The changes which we recommend are supported not only by the opinion, but by the responsible action, of persons well qualified to judge of the Educational state of Edinburgh. Nor are we without experience of the effects of such changes. Many of these have been already carried out by the Merchant Company of Edinburgh, as we have already stated, and with results of a beneficial kind. Their reforms proceeded on the principle of reducing the number of nominations and substituting competition to some extent, and of boarding out as many foundationers as could be accommodated in suitable families, Homes, under the superintendence of the Governors, being provided for the others. With the funds thus set free, great day schools were established, as already stated, in which Elementary and Secondary Instruction is provided for both boys and girls. The mixing with other children, and the introduction of competition, have quickened the intelligence and improved the character of the foundationers. The reports of those interested in the Institutions,

Experience of
the changes re-
commended.

* A more detailed account of the College will be found in the Appendix, Vol. I., and in our First Report.

and of examiners, show this. Dr. Ogilvie says: 'The progress now made, compared with what it was, is very marked.' Again: 'The foundationers, in the first session [after the change of system], were very troublesome; but during the second session (the older boys having left) there was a marked improvement in every way.' 'They (the elder boys) were so far behind, that really there seemed little hope of making anything of them.' Of the younger foundationers he says: 'They are giving us great satisfaction on the whole, and doing very well. I am satisfied the change has done an immense deal of good to the foundationers.'

Confirmation
of evidence by
the movements
of almost all
Hospital Trus-
tees with a
view to reform.

Were further evidence needed as to the necessity and desire for Hospital reform in Scotland, it would be found in the fact already indicated, that, before the issue of our commission, almost all the Hospitals of any importance either applied, or had resolved to apply, for Provisional Orders under the Endowed Institutions (Scotland) Act, 1869,—namely, the Merchant Company's Hospitals, Heriot's, the Trades' Maiden, the Orphan's, and Schaw's. In Elgin, a majority of only one prevented action being taken. In Aberdeen, steps were taken by the Governors of Gordon's Hospital to alter its character; but their petition, after being prepared, was not presented to the Home Secretary, because it had been already found that the Endowed Institutions (Scotland) Act did not give the requisite powers.* In Stiell's Hospital, East Lothian, the Trustees carried out reforms of a beneficial tendency, which they believed they had powers to do under the Trust. These reforms were the better organization of the Higher department of the Hospital, throwing it open as a Public School, the boarding out of the residents, and the institution of bursaries. The reforms contemplated by the Governors of the other foundations referred to above had similar objects in view. In the most recent bequest of all, the 'Spier Trust,' we have evidence that the Trustees themselves desire powers to restrict the purely Hospital character of the Foundation.†

Cost of Hos-
pital system.

2. *Cost of the Hospital System.*—The cost of the Hospital system also engaged our attention. If the cost prior to the reforms instituted by the Merchant Company were taken, the average would be considerably raised. The expenditure on Fettes College, which, as its title indicates, is a Public School, and which was organized from the beginning on such a plan as to avoid the objections taken to the Hospital system, is also omitted from our calculation. Stiell's Hospital, Muirhead's Hospital, and Douglas' Academy have to be excluded for similar reasons, and that proportion of the Heriot revenue which is not devoted to Hospital purposes. Spier's Hospital is also excluded, as it is not yet in operation. Accordingly £34,610 has

* Evidence, 4895 *et seq.*

† *Ib.*, 8978 *et seq.*

TABLE OF THE ENDOWED HOSPITALS IN SCOTLAND.

N.B.—Those which are now also public or day-schools are printed in Italics; in these cases the capitation cost of the Founderers cannot be precisely estimated.

The estimate of cost per head is based on the actual expenditure, not on the whole revenue.

DESIGNATION OF HOSPITAL.	Locality.	Founda- tioners.	Net Revenue.	COST PER HEAD.*		
				Educa- tion.	Mainte- nance.	TOTAL.
Boys and Girls',	Aberdeen	100	£1,758	£1 9	£15 2	£16 11
Gordon's,	"	176	5,611	5 7	17 18	23 5
Orphan and Destitute Female Children's,	"	50	917	1 2	15 11	16 13
Orphan (Female) Asylum, .	"	46	1,075	1 13	19 6	20 19
Shaw's,	"	10	285	1 4	22 18	24 2
Spier's,	Ayrshire	...	1,500	Not yet in operation.		
Muirhead's,	Dumfries	10	342	1 2	15 11	16 13
Morgan's,	Dundee	90	2,505	4 2	24 1	28 3
Orphan Institution,	"	55	995†	3 6	14 7	17 13
Cauvin's,	Duddingston†	26	990	5 4	36 0	41 4
Donaldson's,	Edinburgh	220	8,980	5 2	30 0	35 2
Heriot's,	"	180	18,950‡	11 10	43 8	54 18
Fettes College,	"	50	7,000			
Merchant Company's {	Merchant Maiden,	65	4,880			
	Watson's (George),	55	7,127			
	Stewart's,	37	3,453			
Orphan,	"	90	2,063	2 8	23 18	26 6
Trades' Maiden,	"	48	1,772	9 15	26 0	35 15
Watson's (John) Institution, .	"	100	4,555	7 12	32 12	40 4
Elgin Institution,	Elgin	43	1,800	3 0	25 0	28 0
Scott Institution,	Greenock	6	184	1 0	27 16	28 16
Brooklands',	Kirkpatrick- Durham	8	180	6 15	16 0	22 15
Douglas Free School,	Newton- Stewart	12	480	6 17	28 5	35 2
Schaw's,	Prestonpans (East Lothian)	11	740	10 1	32 7	42 8
Stiell's,	Tranent (East Lothian)	0	764			
Speyside Charity School, . .	Grantown	22	339	0 16	11 4	12 0
		1510	£79,245			

* Not including the value of buildings.

† Only £420 of the above is from capitalized funds, the rest is from subscriptions.

‡ The net revenue was, for year ending 31st December 1873, £18,950, but only £9886 of this sum was
out on strictly Hospital purposes, the rest being devoted to Free Schools, Bursaries, and Apprentice Fees.

to be deducted from the total Hospital revenue of Scotland, leaving £44,635 per annum as the sum expended on the maintenance and education of 1281 children, or £34 per head. If the value of the buildings and grounds be added, the total expenditure would be raised to £56,000 per annum, or about £44 per child. The buildings are estimated moderately, because their expensive and ornate character may be said to be due not to the administration, but to the desire of the executors to raise a monument to the founder.

Hospital Elementary Schools not now indispensable.

Two facts demand attention in connection with the financial aspect of the Hospital question,—facts, it appears to us, of much significance. First, the Hospital schools are not now, as they were in former periods, essential to the proper instruction of the beneficiaries. Cheap and good elementary schools are within easy reach of almost all. Secondly, the parents of more than 80 per cent. of the children on whom the above sum is annually spent belong to a class supported by wages which, on an average, must be considerably less than £80 per annum.

Cost especially to be condemned when compared with the Educational results.

If the Hospitals conferred a public benefit on the education of the country, and constituted an important part of its scholastic machinery, public opinion would not be offended by the contrast between the large expenditure and the small result. But when to the financial considerations we add that the moral and intellectual benefits conferred on the recipients of the bounty are, in the opinion of nearly all, less than would be conferred by a contribution to their education and aliment in their own parishes, an arrangement which would reduce the cost to about one-half of the present outlay, the case against the Hospital system seems to us such as to demand the attention of the Legislature. It is not alleged that all the establishments are extravagantly conducted. It would not, perhaps, be easy to conduct Boarding Schools more economically than Gordon's Hospital at Aberdeen or Morgan's at Dundee. But the system itself makes a large expenditure inevitable.

Conditions of admission to Hospitals. Claims of destitution have not been disregarded.

3. *Conditions of Admission to Hospitals.*—Of the Hospitals enumerated on the preceding page, none are Orphanages by their constitution, with the exception of Heriot's Hospital and the Orphan Hospital, Edinburgh, the Orphan Institution, Dundee, the Female Orphan Asylum, Aberdeen, Scott's Hospital, Greenock, and Brookland's Hospital, Kirkcudbright. In the case of Heriot's, the original purpose of the founder has been set aside, and not more than 34 per cent. of the foundationers are fatherless. Notwithstanding this, the proportion of fatherless children generally in Scottish Hospitals is so large as to give these Institutions the character of Orphanages. Of the 1510 children at present on the Hospital foundations of Scotland, 950 are fatherless. The fact that a child is fatherless is not a

ground in itself for his admission to the benefits of a charity, but it generally indicates greater need than where the father is alive; and taking this fact along with other evidence before us, it cannot be said that the claims of destitution have been disregarded by the administrators of the various foundations.

Setting aside for the present any special case, such as that of Heriot's, which will be more fully treated in the next chapter, we have now to consider generally the terms of admission to the benefits of gratuitous maintenance and education.

In almost all Hospitals the children selected are subjected to some examination; and we do not hesitate to recommend, that in no case shall a child be admitted unless he has reached such a standard of competency as may reasonably be expected from his years. There are deserving and undeserving poor: it is right that the former should have a preference when seeking the benefits of a foundation; and there is no way, next to personal inquiry, in which the worth of the family from which a candidate comes can be so fairly tested as by the measure of attention which has been paid to the early training of the children belonging to it, and the effort which the parents make to fulfil the conditions of admission to a charity. We think, therefore, that the examination of applicants according to the standards of the Scottish Code should always form an important element in the inquiries preliminary to election, and that in no case should an applicant be admitted who gives evidence of having been neglected by his parents or guardians.

Considering, however, the tender age at which children are admitted to Hospitals, we think that to apply a rigid system of competitive examination would be undesirable. The object to be secured is the selection of the most deserving of those who come within the scope of the charity. But in the cases with which we are now dealing, desert can be ascertained otherwise than by examination—as by reports from teachers or others who may have had opportunities of observing the conduct of the applicants. In the case of mere children, and for such a purpose as admission to a Hospital, qualities hardly ascertainable by examination alone—such as industry, regularity, docility—may rightly be taken into consideration.

The course pursued at Fettes College is thus described by the Lord Justice-General:—

‘7732. The mode in which we proceed to the admission of foundationers is this: we select a certain number,—a larger number than there are vacancies for,—say perhaps twice as many as we have vacancies for, and we have them all examined; and then upon the reports of the examiners we take into consideration the qualification in respect of scholarship of

Terms of admission generally.

Entrance Examination.

Competitive system at a very early age inexpedient.

Plan pursued at Fettes College.

each of the boys, along with the other circumstances of the case as they have been laid before us previously; and upon a consideration of the whole combined, we elect ultimately the number for whom we have vacancies. The examination is in that way not exactly competitive, because we don't bind ourselves to take merely the best five scholars (say) out of the ten who have been selected as proved by the examination; but we ascribe a great deal of weight to excellence in the examination, and take that into consideration along with the other circumstances of each case.'

Governing
Bodies must be
trusted to
select.

We are disposed to think that such a plan as this, with a distinct understanding as to the considerations (other than examination) which are allowed to come into play, would be found to meet not inadequately the difficulties of the case. It is, of course, open to the objection that it may be so worked as to make the examination of no account. But, short of a purely competitive system, there is no course open but to trust Governing Bodies. It is obvious that, in the administration of institutions for the relief of unavoidable distress, and in which claims of orphans have been so generally recognised, a considerable discretion must always be left to Trustees for the proper exercise of their duties, especially in cases where the applicants are of a tender age; and we would place more reliance on the principle on which the trustees are selected, and on the publicity of their proceedings, than on any minute rules laid down for their guidance. But we are of opinion that the considerations which should weigh in finally selecting ought to be personal to the child, and that the trustees should frame rules for their guidance in making a selection. The sound method of procedure is, that only those of the class intended to be benefited should be allowed to be candidates, and that the election should be made after such an examination and inquiry as may enable the trustees to discover the most promising and deserving. Where such a mode of procedure is adopted, the pauperizing effects of charity are lessened, and the beneficiaries themselves are relieved from the painful feeling that they owe all to charity, and nothing to desert.

Relation of
the Hospital
system
to parents.

4. *Relation of the Hospital System to Parents.*—It is alleged that all charities tend more or less to diminish the self-respect of recipients and expectants, and to create in the community the very class which they aid. It will hardly be denied that such is the effect wherever the aid that charities offer extends to those who do not, through misfortune, stand in need of it. It is difficult to speak with confidence as to the amount of wages which ought to place a man above the necessity of asking the aid of charitable funds for the maintenance of his family. But it may fairly be assumed that in general a parent

who is fit for work, and who receives the wages usual in his class, should be held responsible for the maintenance and education of his children. The interests of the State doubtless demand that Elementary instruction, at a moderate price, shall be made accessible to all, and to this extent all may seek and accept a boon which is common to all. But for the aliment and clothing of the child the parent must be held wholly and solely responsible; and it is when a charity encourages an opposite sentiment, and gives rise to an expectation of extraneous aid, which the exercise of foresight and industry might make unnecessary, that it becomes positively hurtful. It is hurtful not merely to the few who succeed in their application for assistance, but equally so to the much larger number who seek assistance and fail. Charities so administered tend to pauperize a community.

Dr. Bedford has classified recipients of Heriot's Hospital charity as follows:—*

Classification
of the Heriot
recipients.

'I would say that the parents in Heriot's Hospital may be divided into three classes,—firstly, those who, having known better days, such as widows and decayed tradesmen suffering from innocent misfortune, desire social restitution for their children; secondly, those who, never having been in a better position than the lower middle class, desire, by the kind of education given in Heriot's Hospital, and the money aid afforded afterwards in the form of apprentice fees, to secure for their children social elevation as distinguished from social restitution; and thirdly, those whose obvious object is to shift the care and responsibility of their children on the officials of a public charity, by making a good investment of £5 in the purchase of a burgess ticket. This last class of parents try to get their children admitted at the minimum age, which is seven; or if they should send them in at a later period, it is found that there has been an almost entire neglect of the children's education.'

It was the first class alone whom founders generally wished to serve, and such charities should not be discouraged. But the proffer of gratuitous maintenance and education should, as far as possible, be made on the condition of merit in the recipient. We have it in evidence, also, that it has been the custom to purchase burgess tickets in Edinburgh for the mere purpose of qualifying for the Heriot charity; and further, that even with such great facilities for qualification, the number of vacancies was as great, and in some instances greater, than the number of applicants, until the household qualification of a £15 rental was removed. As regards Hospitals of more recent institution, we find that in the case of Donaldson's (Edinburgh) the Governors were themselves so impressed with the large amount of Hospital accommodation in Edinburgh, that they found it expedient to seek for a special class of beneficiaries. In the action taken by the

'Decayed'
class whom
Founders
wished
to serve.

* Evidence, 530.

Fettes Trustees, also, we have a further confirmation of the soundness of the view taken by the Donaldson Governors. In the case of the Stirling Hospitals, the evidence given before the Special Commissioners under the Endowed Institutions (Scotland) Act, 1869, exhibits the hurtful influence of these charities. These facts, and considerations of other kinds, satisfy us that the proportion which such charities bear to the population in certain localities is such as to demand a modification of their present application and administration.

Contributions
should be taken
from relatives
of founda-
tioners.

Even in cases of necessity, arising from the death of a father or from his being incapacitated for work, the family self-respect might be protected by not providing wholly for the foundationer, whether he be boarded in the Hospital home, or with relatives, or in a respectable family. A contribution by relatives, to the extent of providing at least the cost of clothing, as in Fettes College, would of itself contribute to the maintenance of family obligations, and continue the connection of the child with those who were in the course of nature primarily responsible for his maintenance.

Boarding out
of founda-
tioners.

The boarding out of the foundationers would also facilitate a more discriminating application of the charity, and even Hospitals economically conducted would save money by this reform. In Gordon's Hospital, Aberdeen, one of the cheapest in Scotland, the foundationers are clothed, fed, and educated for about £23, 5s. per head; but there can be little doubt, that by leaving these boys with their parents or relatives, a considerable sum could, even in this case, be saved. The cost of clothing a child and of educating him at an inspected school would not exceed £3 or £4 per annum, while in many cases sums varying, according to need, from £5 to £10 would be considered by parents or guardians sufficient payment for aliment; so that, even in so economically conducted an institution as Gordon's, half the outlay might be saved without diminishing the present number of foundationers. The income of artisans of the same class as those whose children find shelter in Gordon's Hospital cannot average 25s. per week; and out of this sum a family of probably five or six have to be housed, clothed, and maintained—the expenditure per head not exceeding £9 per annum.

Summing up.
Restriction of
charity
foundationers.

To sum up: Looking to the history of Hospital foundations in Scotland, and the facts which have been laid before us in evidence, we are of opinion that the number of purely charitable beneficiaries should be restricted. Considerations of another kind lead to the same conclusion. At the time when most of the Hospitals were founded, there were difficulties in the way of obtaining education which are now wholly removed. In Scotland, good Primary instruction, and even the elements of Secondary

instruction, are now within the reach of all. The facilities which now exist for making provision for families, such as savings banks and life insurances, have also to be taken into account.

We are further of opinion that much of the present expenditure may be saved by sending charity foundationers to Public or other Elementary Schools up to the age of twelve or thirteen, although we are not prepared to say that this course may be in all cases expedient or practicable. It would often be possible to carry out the true purpose of the founder most effectually by not removing the selected beneficiaries from their own parishes. Schools under Government inspection are now everywhere accessible.

Foundationers under 13 to be sent to inspected Elementary Schools.

The foundationers, of whatever age, should, where practicable, be boarded in families, a boarding-house on a limited scale being instituted for those who cannot be provided for in this way. These boarding-houses might be thrown open to paying pupils, whenever the Governors found this expedient.

Boarding out and admission of paying boarders where houses are instituted.

With the money saved by the adoption of this suggestion and the limitation of the number of charity foundationers, scholar-foundationers should be admitted by competition at the age at which Secondary instruction usually begins. The Hospital schools should also be thrown open to all paying pupils.

Competition foundationers and open schools.

Apart from other considerations, we are of opinion that the interests of Hospital foundationers themselves demand these changes. The educational results of the Hospital system are, as we have already shown, disappointing, and we attribute the failure not merely to the monasticism of the life, but also to the want of emulation among the pupils. Much is due to the herding together of children all of one class, suffering under the same domestic calamities, and who have been surrounded in their past history by similar circumstances, for the most part of a depressing kind. In this way one type of mind and character is produced. The Hospital life, so far from providing a remedy, tends to strengthen the evil; and even where there may be a minority of promising boys, the dull majority soon draw them down to their own intellectual and moral level.

Interests of foundationers demand these changes.

We would further recommend that partial payments should be taken from those foundationers whose friends could afford to make them; and it is a matter for consideration whether from all, save the most necessitous, such payments should not be demanded.

Partial payments to be taken.

By such means as we have suggested, we believe that the evil effects of the Hospital system on both the community and on the foundationers would be removed, and the benefits of a superior instruction offered at a moderate fee to all.

Remedy for Hospital evils would be provided by the above means.

Large saving
would be
effected.

A further consequence of equal moment would be the large saving which would be effected. The opening up of the Hospital Schools to the public, as in the case of the Merchant Company's Schools, Stiell's Hospital, and Fettes College, would withdraw from the account against the foundationers that portion of the cost of maintaining and educating them which is represented by the value of buildings, and also a considerable proportion of the cost of tuition. The boarding out of the great majority of the foundationers, the admission of paying boarders to the homes which it might be necessary to provide, and the aiding of foundationers in their own parishes, while extending the benefits of the Hospitals as charitable foundations in a legitimate way, would reduce the cost of maintenance per head by distributing the expenditure over a larger area. We have already adverted to the probable financial effect of the application of only one of our suggestions to the case of Gordon's Hospital, economical though its management be; and we have shown that, by adopting measures salutary in themselves, and which ought to require, therefore, no further justification, a considerable saving might be effected in that institution.

Application of
money saved.

Any saving effected by the adoption of our suggestions would in most cases yield a surplus, by means of which a Day School might be organized and thrown open to all paying pupils; and by means of it, also, boys who gave evidence of superior merit, but whose parents were unable without difficulty to continue their education beyond 13 years of age, might be placed as 'scholars' on the foundation. In some cases a proportion of the revenue might be beneficially applied to other educational purposes in the vicinity of the foundation, of a kind fairly enough falling within the purposes of the various Trusts.

III.—HOSPITAL ENDOWMENTS—*continued.**Edinburgh Hospitals.*

IN the previous chapter we have spoken of the Hospitals of Scotland generally, of the evils which belong to the Hospital system, and of the principles which, in our opinion, should determine the remedies to be applied, modifications being made to suit the peculiarities of each case.

The Hospitals of Edinburgh demand further and special consideration. That city is the great centre of the Hospital system.

It is true that the Fettes, Donaldson, John Watson, and Cauvin Foundations, as well as the Orphan Hospital, draw their pupils from all parts of the country; but the fact that these Institutions are situated in the capital tends to make the citizens of Edinburgh regard them as more particularly destined for their use. In the case of Donaldson's Hospital, for example, of 102 hearing children, 65, and in the Orphan Hospital, of 80 children, 67, are from Edinburgh and its vicinity.

The Hospitals are to be regarded in their twofold character of Educational Institutions and Boarding-Houses. As boarding-houses, we have already expressed our opinion that they should be continued only under such restrictions as to number and boarding of residents as will entirely change their present character. We have also indicated generally those changes in the Hospital Schools 'by which their usefulness and efficiency may be increased.'

With a view to ascertain the relation of the Hospitals of Edinburgh to the means of education otherwise provided in that city, we instituted inquiries into the amount of existing provision both for Elementary and Secondary Instruction, and found it to be nearly sufficient. In so far as, on a more strict investigation than we thought it necessary to make, the former might be found defective, or likely to become so through the withdrawal of voluntary denominational schools, we knew that the supply of any deficiencies would be the first duty of the School Board under the Education (Scotland) Act, and might be safely left to that body.

Hospitals
generally.

Edinburgh
Hospitals.

Hospitals have
a twofold
character.

Relation of
Hospitals as
educational
institutions to
the wants of
Edinburgh.

With regard to Secondary instruction, the result of our inquiries was such as to satisfy us that there was an adequate supply in Edinburgh. The opening of the Merchant Company's Hospital Day Schools had put a good Secondary education within the reach of all but the poorest classes. For those who could afford larger fees, there were the High School of Edinburgh, the Edinburgh Academy, and a considerable number of Adventure Schools of good repute. In reply to an inquiry from us as to the supply of secondary instruction, our conclusions were confirmed by the School Board, who say: 'The Board are satisfied that ample accommodation of a superior kind already exists in the city for the Elementary and Secondary instruction of the wealthier classes.'

Metropolis of Scotland to be regarded as a great centre of education.

It might be urged, therefore, that any surplus funds available in consequence of Hospital reforms in Edinburgh are not required to supply school education in Edinburgh itself. But it will be seen that there is a kind of education in which Edinburgh, as well as the United Kingdom generally, is deficient. And if we are to regard the metropolis as a centre to which the inhabitants of Scotland, and of all parts of the empire, may desire to send their children, there is room for a further extension of the educational system, such as may conduce greatly not only to the reputation of the metropolis, but to its solid advantage.

Certain Hospitals here excluded from consideration.

It is not necessary to refer here to George Watson's Hospital, the Merchant Maiden Hospital, and the Fettes College. These institutions do not now fall under the category of Hospitals. Fettes College, it is true, although nominally open to day-scholars, is practically closed against them by the early hour at which the boys are required to attend, and by the distance of the College from the centre of the town; but the George Watson's College School for boys, and that for girls, in the south of Edinburgh, and the Merchant Maiden Hospital Schools (now called the 'Edinburgh Young Ladies' Educational Institution') in the north, and Daniel Stewart's Hospital School in the west, are resorted to by about 2800 pupils. We have therefore excluded these Foundations from consideration as Hospitals, because they have now more the character of Public Day Schools.

But Heriot's, the Orphan, John Watson's, the Trades' Maiden, and Donaldson's are still Hospitals in every respect. The annual income of these institutions, including in the case of Heriot's only that portion which is applied to the Hospital proper, is £27,256; and for this, 638 children, from the age of seven to fifteen, are maintained and educated—the average cost being thus £42, 14s per head, or, adding the value of the buildings, upwards of £50.

In the following table the estimated cost is based on the actual expenditure:—

Cost of the Hospitals which are dealt with in this chapter.

NAME.	Revenue.	Number of Founda- tioners.	COST PER HEAD.		TOTAL.
			Education.	Maintenance.	
George Heriot's,* .	£9,886	180	£11 10	£43 8	£54 18
John Watson's, .	4,555	100	7 12	32 12	40 4
Donaldson's,. .	8,980	220	5 2	30 0	35 2
Trades' Maiden, .	1,772	48	9 15	26 0	35 15
Orphan, . . .	2,063	90	2 8	23 18	26 6
	£27,256	638			

We propose to give a brief account of the first three of these Hospitals and of their present organization, and to apply to them some of the principles of reform which have been laid down in Chapter II. We begin with the earliest Foundation, in imitation of which the rest were instituted.

1. *George Heriot's Hospital.*

George Heriot, the founder of Heriot's Hospital, was the son of an influential citizen of Edinburgh. He was born in Edinburgh in June 1563, and died in London on the 12th February 1624. In Edinburgh, and afterwards in London, whither he followed James VI., he amassed a large fortune, as His Majesty's Jeweller and Her Majesty's Goldsmith.

He resolved to benefit his native town, to which he was much attached, by instituting an hospital similar to Christ's Hospital in London.

In the disposition and assignation of his property to the town of Edinburgh (dated 3d September 1623), he uses the following words:—

History of George Heriot's Hospital.
Heriot's disposition and assignation.

'The whole residue and remanent of the samyn somes contenit
'in the saidis bandis contractis and securities respective above
'mentionat to be imployed and bestowit upon the pios holie
'and religious uses underwritten upon the expenssis and chargis
'alwayes off the said remanent somes Quhairoff I appoint and
'ordayne be thir presentis the said Provest Baillies and Counsale
'of the forsaid burgh of Edinburgh and their successouris (in that
'case) To be my faithfull and most trustie fide-commissionaris and

* Exclusive of Apprentice Fund, Bursaries, and Free School expenditure.

‘intrustit friendis Quhairaunt I mynd Godwilling to be moir
 ‘speciall in my Letter Will or in writt apart theranent Giveand
 ‘grantand committand to the saids Provest Baillies and Counsale
 ‘for the tyme and their successouris my verie full frie plaine power
 ‘expres bidding mandement and chaarge To intromett with,’ etc.

The pious uses to which he refers are explained in the same disposition as being the founding and erecting of ‘ane publick pios
 ‘and charitable worke within the said Burghe of Edinburgh To
 ‘the glorie of God ffor the publict weill and ornament of the said
 ‘Burghe of Edinburgh And for the honour and dew regaird
 ‘Quhilk I have and beeres to my native soyle and mother Citie
 ‘of Edinburgh forsaid And In Imitatione of the publick pios and
 ‘religious work foundat within the Citie of London callit Chrystis
 ‘Hospitall thair to be callit in all tyme coming
 ‘Hospital and Seminarie of *Orphans* for educatione nursing and
 ‘upbringing of youth *being puir Orphans and fatherles childrene*
 ‘*of decayit Burgesses and freemen* of the said Burgh destitut and
 ‘*left without meanes* To such competent number as the means and
 ‘mentenance allowit thairupon are able to afforde,’ etc. These
 orphans are to be instructed in the Hospital or sent to the Grammar
 School till they are fifteen years of age, and then either apprenticed
 or sent to College. Certain parties are named as executors, and
 the Ministers of Edinburgh as overseers, inspectors, and visitors.
 In the event of the failure of the Provost and Council to give
 effect to the wishes of the founder, the executors were empowered
 to bestow it on such pious, holy, and religious uses as they might
 think expedient in any other part of Scotland.

Heriot's last
 will and
 testament.

George Heriot's Last Will and Testament (dated 10th December 1623) entered into more detail, but did not substantially alter the intention contained in the above disposition. By the will, Robert Johnstone, William Terry, and Gideon de Lawne were appointed executors; and the Ministers are conjoined with the Provost, Bailies, and Council as ‘governours of the lands, revenues,’ etc. He also authorizes Dr. W. Balcanquall (afterwards Dean of Rochester) to frame ordinances and directions for the Hospital, and gives power to the Lord Chancellor, the Archbishops, the Lord President of the College of Justice, and the Lord Advocate for the time being, to inquire into any reported or suspected corruption; and, in the event of failure in any fundamental point of the foundation, to devote the revenues entirely to the maintenance of such poor scholars in the University of St. Andrews as shall be nominated by the Rector and Professors of that University. The officials were at the same time confirmed in all the powers over the property originally conferred on the Provost, Bailies, Council, and Ministers:—

'I do absolutlie give and bequaith all the superplusage rest and residew of my estait guidis chattellis reallis and personall moneyis houshold stuff jewellis pleat and all vther thingis and sowmes of money alsweill that deeried vnto me by the Heiche Court of Chaneery as vtherwayis and also the superplusage of certane dettis or moneyis contenit in the writting or deid maid according to the maner of Scotland befoir recetit remaninge ower and abone the satisfeing the annuyties sowmes of money or bequestis gevin or assignit be me vnto the said Margaret my sister and vtheris thairin quihich superplusage of thois dettis or moneyis in Scotland I esteme will be about

Sterling vnto the Proveist Baillies Ministeris and ordinarie Counsell of and for the tyme being of the said towne of Edinburgh for and towardis the funding and ereeting of ane hospittill within the said towne of Edinburgh in perpetuitie and for and towardis the purchesing of certane landis in perpetuitie to belong vnto the said hospittill *to be imployit for the mantinance relief bringing vp and educatioun of so many puire fatherles bairnes friemens sones of that Towne of Edinburgh as the meins quihiche I* give and the value of the landis so purchessit be the said Proveist Baillies Ministeris and Counsell of the said towne sall amount or cum vnto.'

Mr. James Maxwell, Dr. Walter Balcanquall, and Mr. Walter Alexander were appointed 'overseers and supervisors' of the will.

In a codicil dated 21st January 1623, Heriot gave full powers Heriot's codicil. to Dr. Balcanquall to superintend the giving effect to his Will, and at the same time ordered the foundation of ten bursaries, of £5 sterling each, in connection with the College of Edinburgh, subject to the rules of Dr. Balcanquall,—not necessarily to be given to Hospitallers:—

'And my will and desyre is that the said Mr Doctour Balecanquall sall requyre the said Provest Baillies Ministeris and Counsell in the said will nameit that out of the rentis ischewis and proffetis of the meins and estait so be me gevin as in my foirsaid will is limittit and declairit they sall manteine and keipe ten busseris in the Colledge of Edinburgh for ewer allowing yeirlie fyve pundis Sterling into eiche ane of thame the electioun of them to be as sall be ordorit or directit by the buike statutis ordinancees or writting to be degestit frameit and delyverit as in my said will is mentionat.'

In the disposition he provides, as will be seen, for those being sent to College who were not put to apprenticeship. Heriot also provided as follows:—

'In caise the said Proveist Baillies Ministeris and Counsell sall fail in performence of anie fundamentall point of this fundatioun then all the said meins and landis so appointit and limitit for the said Hospittill or this fundatioun salbe absolutlie and haillielie appropriattit and takine for the mentinece of sua manie puire seholleris in the vniversitie of Sanctandros in Scotland as salbe nominatt or appointit be Rectour and Proffessouris of that vniversitie to quihiche Rectour and Proffessouris I do heirby geive and devyse as hail and absolute power ryeht and auctoritie in and be all thingis concerning the premisses as is befoir in this will gevin or limitit to the said Proveist Baillies Ministeris and Counsell of the said towne anie thing to the contrarie notwithstanding.'

Present Revenue of Foundation, and Cost of Hospital.—The bequest of George Heriot, amounting to £23,625, 10s. 3½d., was originally invested in lands, which have since been mostly feued. Present revenue of Foundation, and cost of Hospital. The

net income in 1873 was £18,950, and is yearly increasing. During the same year £9886 was spent on the Hospital proper, £7198 on the Foundation 'outdoor' Free Schools, established under an Act of Parliament in 1836, £497 on Evening Classes, £1470 on Apprentice Fees, and £469 on Bursaries. The yearly increasing income has led the Governors to resolve, since we began our sittings, to add to the number of Free Schools, with a view to absorb this growing surplus. The income in 1875 will be not less than £20,200.

Cost per head.

The cost of maintaining and educating 180 boys for the year (of whom 60 are non-resident, and do not breakfast or sup in the Hospital) is about £54, 18s. per head, excluding the cost of the buildings.

Considering the number of pupils, and the limited curriculum through which they are carried, the expense of the teaching staff is great.

Government of Heriot's.

Government.—The Administrators of the Trust and the Governors of the Hospital are, as has been already stated, the Lord Provost, Bailies, Ministers, and Council of Edinburgh.

The Governors are divided into four Committees, viz. the Property and Finance Committee, the House and Apprentice Committee, the Education and Schools Committee, and the Law Committee. The duties of these Committees are indicated by their names, but they all exercise a control in every department, both in their individual and corporate capacity.

Curriculum of instruction.

Instruction.—It will be seen from the classification given in the Appendix, Vol. I., that a large proportion of the boys belong to the operative classes, and are intended to enter trades—provision, however, being made, in the case of 'hopeful scholars,' for the prosecution of professional studies at the University. The early age at which the boys leave—fourteen—and their future occupation, have to be kept in view in judging of the curriculum of study and the proportion of time allowed to each subject. The ordinary English branches, including Bible and Catechism, Singing and Drill, form necessarily the staple of the instruction. Drawing is taught only in the upper classes, and as an accomplishment, and does not enter into the elementary work of the School. French, Latin, and Mathematics receive increased attention as the boys grow older. All receive Latin lessons for five hours weekly from the third section upwards, till they reach the fifth section, when seven and a half hours are given to this subject. The more 'hopeful' scholars seem to begin Greek in the sixth section; and when they reach the seventh, they devote nine and a half hours

weekly to Greek and Latin taken together. Two and a half hours a week are given to French in the sixth and seventh sections.*

Election of Foundationers.—The Statute of Election framed by Dr. Balcanquhall omitted the word ‘fatherless,’ whether inadvertently or not does not appear. Heriot’s own intention, as again and again repeated, and as confirmed by Robert Johnstone, one of Heriot’s executors,† is not open to question. He contemplated only orphans, and only the orphans of ‘decayed’ burgesses—an expression which may be interpreted to mean, burgesses who died leaving less provision for the upbringing of their families than was to have been expected from their position in life. At present, of 180 foundationers, only 62 are fatherless. These foundationers are admitted merely on the grounds that they are, or are held to be, poor, that they are the sons of burgesses, and that they have resided three years in Edinburgh. We are not prepared to speak with confidence as to the class of society which now represents the burgesses of 250 years ago. At present the purchase of a ticket, which costs £5, constitutes any male or female resident a burgess, and gives a claim, after three years’ residence, on the Hospital funds. The ticket is purchased with this object, and is, in fact, of no other value to the holder of it. Those who thus qualify themselves, and whose children are at the present moment benefiting by the Endowment, are for the most part small tradesmen or artisans.

Although we refrain from giving an opinion as to the social condition of ‘burgesses’ in 1620, we are not left without some indication of the class of foundationers contemplated by Heriot. They were to be boys who, at the age of 15, were to be apprenticed to some occupation, or to enter the University. Dr. Balcanquhall extended the age to ‘sixteen complete.’ They were all to have a classical education at the Grammar School of Edinburgh. We may therefore fairly conclude that George Heriot did not contemplate the poorest classes of society as those which were solely, or even chiefly, to benefit by his bounty.

Another indication of Heriot’s intentions was the foundation of bursaries to be held by students at the Edinburgh University, without reference to the place of their previous training. The leanings which he had towards a liberal education are also indicated by the provision in his will for the contingent reversion of his money to the University of St. Andrews, to be there applied for bursaries. Nor is evidence lacking that his goodwill extended to the rest of Scotland. The authority given in his disposition,

* For work done in highest class, see First Report, p. 521.

† See Appendix, Vol. I.

Terms of election to Heriot’s Foundation.

Class contemplated by Heriot.

Foundation of bursaries an indication of Heriot’s intentions.

in the event of the failure of the Provost and Council to carry out his intentions, to apply his bequest to 'such pious, holy, and religious uses as they [the executors] might think expedient in any other part of Scotland,' is to be taken as evidence that, should certain circumstances arise, Heriot desired that regard should be had to the educational requirements of the whole country, while he had a special interest in the University of St. Andrews.

Educational
results of
Heriot's.

Educational Results.—The educational results of Heriot's Hospital are not such as the country might expect from so important a foundation. The school is an Elementary and Lower Secondary School, the highest class being, however, as far advanced in Classics and Mathematics as the age of the pupils would lead us to expect. In this respect Heriot's differs from its model, Christ's Hospital; for, whatever may have been the original constitution of Christ's, it has been so administered as to create a class of scholars who go to the English Universities, and earn distinctions there. Heriot's Hospital, on the other hand, has yielded, taking an average of ten years, only two boys per annum considered worthy of being sent with Hospital bursaries to the University of Edinburgh, to which seat of learning boys go with very much less scholarship than that which is carried from a school like Christ's Hospital.

Changes
which are
expedient.

The above summary, and the principles of reform laid down in the previous chapter, are almost sufficient in themselves to indicate our views on the changes which it would be expedient to make. We think, in the first place, that the number of University bursaries open to candidates from all parts of Scotland should be increased, and that a certain number should be attached to the University of St. Andrews. Such an application of the increasing revenues seems to us to be demanded by an equitable interpretation of the will and trust disposition. The bursaries should bear at least the same proportion to the present revenue as the amount specified by Heriot bore to the original bequest. It is evident that Heriot, by making University bursaries the subject of a codicil, which may be held to express his maturest views, had a special interest in this destination of a portion of the funds which he bequeathed.

Provisional
Order applied
for by
Governors.

Number of
applicants and
of vacancies.

In the Provisional Order for which they applied, the Governors sought powers to 'limit the number of boys to be boarded and educated at the expense of the Hospital to 60, giving a preference to orphans.'* The fact that in 1872, and until the condition of a £15 occupancy was abolished, there were only 21 applicants for 27 vacancies, would of itself suggest the necessity of a restriction of the charitable admissions, apart from a consideration of the

* *Vide* Appendix, Vol. I.

founder's intentions. We would accordingly propose that, without interfering with the present class of foundationers, the right of admission on charitable grounds should be restricted, as the Governors themselves proposed, to 60 orphan children of Edinburgh residents.

We are of opinion that the boarding-out system should be more largely adopted, provision being made in a hospital house for those who cannot be advantageously placed out. Boarding

Admission to the benefits of the foundation, in the form of free education and bursaries, should be extended to boys seeking *secondary* instruction coming from any part of the country. The conditions of admission might be so arranged as to make the privilege of admission the reward of ascertained merit, the proficiency exacted being such as is generally attainable by boys in rural parishes. We have it in evidence that the artisans of Edinburgh do not desire secondary or higher instruction for their children unless they show special capacity for it;* and considering all the educational advantages which Edinburgh affords, they could not reasonably complain if their children had to encounter competition with boys from purely agricultural districts.

By the introduction of the boarding-out system, a restriction of the number of charitable beneficiaries, and the throwing open of all other places on the foundation to be competed for by boys of about 13 years of age, a great educational benefit would be conferred not merely on Edinburgh,—which would, however, mainly reap the fruits of such a change,—but on all the neighbouring counties. We propose to restrict the open scholarships to boys of about 13 years of age who give evidence of special aptitude for advanced instruction, because it is generally at this age that parents of humble means find it necessary to cut short the education of their children, however promising these may be. Heriot's would thus be a purely Secondary School, the charitable beneficiaries under the age of 13 being sent to the foundation Free Schools, which are accessible from every part of the town,—an arrangement which would materially reduce the cost of their education. Reforms would confer a great educational benefit on Edinburgh."

Besides providing for the elder charitable beneficiaries and the Heriot 'scholars,' the Secondary School would, of course, offer its advantages at a moderate fee to all who desired them. But here we would place a limit on indiscriminate admission, by requiring that all who sought to enter the school should pass such an examination as showed that they were fit to enter the lowest class without degrading it to the level of a Primary School. Heriot Secondary School.

There remains for consideration the question, whether the new Public Secondary School thus to be constituted should have any Character of proposed Heriot Secondary School.

* Evidence, 3230 *et seq.*, 6818 *et seq.*

Should be adapted to Commercial and Industrial classes.

Reasons for this.

Lord Stanley's circular.

distinctive character. Looking to the ample supply of education in Edinburgh of the usual type, we are disposed to recommend that the school should be so organized as to be specially adapted to the wants of the industrial and commercial classes. It is needless to point out that two centuries and a half of increasing wealth and civilisation have largely modified the nature of the educational wants of the population. Nowhere, indeed, have these changes been so manifold, nowhere has the strain of life become more intense, than among those classes which are devoted to trade and manufactures. The enormous extent of our commerce, the novelty and remoteness of the regions which it visits, its incessant and ardent competition with other mercantile countries, have created a new demand for instruction of a particular kind. As regards this instruction, there is reason to fear that we are already left behind. Sir Bartle Frere, in the lecture on the East Coast of Africa which he recently delivered in Edinburgh, declared that nothing in his mission had struck him so much as the way in which the Germans were encroaching on our commerce. The remark elicited a unanimous expression of feeling in the press confirming the fact, and ascribing it solely to the superior education obtained by the mercantile classes in Germany. That this fear of danger to our industrial interests is by no means visionary, documents laid before us demonstrate. The replies to Lord Stanley's circular to Her Majesty's representatives abroad in 1868, the Report of the French Commission laid before our Parliament in 1869, and the Report of the Select Committee of the House of Commons on Scientific Instruction (1868), amply confirm the opinions expressed by several of those who gave evidence before us. Dr. Lyon Playfair says:—

'3416. Do you see a very imminent danger for our manufactures in the want of scientific knowledge?—I see a great danger; because every day our advantages in regard to raw material are vanishing with the improvement of communications. Skill becomes the most important factor in industry; whereas formerly the raw materials were the most important factor in industry. For example, you have Switzerland competing with Coventry; the town of Basle competes with Coventry in the same class of goods; and yet Switzerland has to import its silk over the mountains, and all its coal from Belgium and Germany. But notwithstanding these obstacles, the high class of technological persons who are supplied by the technological school at Zurich enables it to compete by means of knowledge and skill with other countries which have the advantage of the raw material. Unless you improve the sciences bearing on industries in this country, we are likely to suffer, as indeed we do now.

'3417. So that the Swiss artisan is immeasurably superior to the English artisan?—Very greatly, in point of scientific and artistic skill and knowledge.

'3418. Could that danger be put so clearly to the commercial classes

who defend these hospitals as to make such a proposal popular among them?—Some years ago, when coming back from the Exhibition of 1867. I had a conversation with Lord Taunton, the President of the Endowed Schools Commission, upon the subject of the scientific education given to artisans and other people in continental countries, and the great effect it was having on our industries. Lord Taunton requested me to put what I had said in writing, and it was sent to all the jurors who had been at the Exhibition in France, and had seen the effects on the industries of the different countries; and there is a blue-book in which all of them express, in the strongest way, their entire concurrence with my fears; but although that blue-book was published as part of the Report of the Endowed Schools Commission—and no stronger documents exist anywhere on the subject, or express such strong alarm by so many influential people—it has had no effect. Perhaps it may succeed in another generation in convincing commercial people; but commercial people and manufacturers are very difficult to convince.

‘3419. The shoe has not pinched them yet?—It does pinch them; but they have a number of foreign draughtsmen and foreign chemists. A great many are German chemists, and foreign talent is imported by English capital.

‘3420. We have no such supply ourselves?—We are gradually getting up a better supply of chemists, but in technically trained men in other branches of knowledge we are considerably in the rear.’

The recommendation which we here make is also greatly strengthened by the evidence of Professor Fleeming Jenkin. There is some divergence of views among our witnesses, both as to the age at which such education should begin, and as to the character of the instruction to be given, more especially as to the proportion of time which should be devoted to purely scientific training. But they generally agree in disavowing anything like instruction in mechanics alone, and in urging that the scientific teaching should be of a general character, with some special reference to its bearing on the trade and industry of the country, and should include mechanics and chemistry, with their applications. In this we concur.

There is nothing in Scotland answering to the practical German schools. There are in Prussia two classes of institutions to which we would call attention. In the *first* place, there are twenty-five Trade Schools (*Gewerbeschulen*), where technical instruction is given to masters and foremen as well as workmen. ‘The subjects taught comprise elementary geometry and part of descriptive geometry, algebra to equations of the second degree, trigonometry, the applications of geometry to land-surveying, the cutting of stone, the study of the fundamental notions of mechanics, mechanical technology, the details of various constructions, the elements of physics and of chemistry, with manipulations, etc. The drawings are varied and numerous, and nearly all of a practical tendency.’* We would direct attention to this kind of

Professor
Fleeming
Jenkin.

Nothing in
Scotland
answering to
the Practical
Schools of
Germany.

* French Commission on Technical Instruction (1863), p. 15.

institution, as showing the very great advantages within the reach of the German manufacturer or artisan. There are similar colleges in Austria.

Then, in the *second* place, there are the Practical Schools (*Realschulen*),—‘establishments very numerous in Germany, where young men intended for trade, the lower posts in Government offices, and manufacturing houses, receive a general education. In Prussia the courses comprise the German, English, and French languages, and sometimes Italian.’ A little Latin is taught, as well as ‘history, geography, the elements of natural history, physics and chemistry, commercial arithmetic, elementary geometry, singing, gymnastics, and drawing.’ ‘All these practical schools have a library, a collection of philosophical instruments, a laboratory for chemistry, and, for the most part, class-rooms for drawing tolerably well supplied with models.’

Switzerland.

In Switzerland, again, there are two elaborate special schools, but they are designed only for grown-up artisans who have approved themselves singularly skilful in their trades,—the Industrial School of Lausanne, and the Swiss Federal Polytechnic School at Zurich. But such schools form the superstructure of an edifice whose foundations have yet to be laid in this country.

We have alluded to the schools of Prussia and Switzerland as the most famous. But indeed there is scarcely a considerable state on the Continent which does not contain schools more especially adapted than the ordinary schools to the practical wants of those pupils who have hereafter to gain a livelihood in connection with the leading industries of the country. Austria, Bavaria, Saxony, Sweden, and France are all provided with such schools. There appears to be hardly any institution of the kind in the United Kingdom.

We are of opinion that Heriot’s foundation offers an opportunity for establishing a school somewhat after the model of the Realschulen—one in which the basis of education shall be mathematical and practical to the same degree that in our ordinary Secondary schools the basis is classical. Indeed, we should be disposed to recommend the exclusion of classics, believing that where a classical education is given, it is apt, as being the more fashionable, to oust or starve the modern instruction that may be given alongside of it. Some degree of acquaintance with Latin, however, would seem to be necessary. But we do not think it necessary to lay down any detailed plan for the course of instruction. It is enough here to say that we think it desirable to give to mathematics, modern languages, drawing, and the

Heriot’s foundation may be used to supply the educational want.

sciences bearing upon manufactures—or so much of them as could be taught to lads—the greatest prominence in the school curriculum. The details of organization should be left to an Executive body co-operating with the governors, or to the governors themselves, assisted by the best special opinions on the subject which the country can afford. We cannot doubt that scientific men, and those who have made education in its various forms their study, and have considered and observed the working of technical and commercial schools abroad, would give their best assistance to carry out the proposal.

Details to be left to Executive Body.

So large an experiment must necessarily be expensive, for models and laboratories will be required. Consequently it is to a wealthy foundation that we would assign the honour of carrying it out.

Our Universities would doubtless afford the means of completing the education given in such a school. They are not without the means, even now, of doing so in various important branches; and we may express a hope that their means of usefulness in this department of the Higher Education will be increased.

Universities would be the advanced Technical School.

While making these recommendations, we would deprecate any attempt to confine the educational curriculum to scientific subjects, to the exclusion of literature; but we would suggest, that successful competitors for places on the foundation who desire a purely classical training should be sent to the High School of Edinburgh.

Literature not to be excluded

We may mention that the Directors of the School of Arts in Edinburgh—an institution almost self-supporting, and probably the earliest Working Man's College in Great Britain—memorialized us in the interests of that Institution, which they consider to be a Technical School. But while giving our cordial approbation to the proposal of the Governors of Heriot's Hospital to aid this most useful institution, we think that its special character as a 'Working Man's College'—that is, as an Evening Technical and Commercial School—should not be interfered with. We consider that it has at present a sufficient educational sphere.

School of Arts, Edinburgh.

Apprentice Allowances.—These payments to boys who have left Heriot's amounted in 1873 to £1470—an excessive sum, in our opinion. This portion of the expenditure is the more to be regretted that it has no relation to the merit of the recipient. These allowances should altogether cease—power, however, being retained to the Governors to give a small sum as an outfit to orphan foundationers in special and necessitous cases.

Apprentice allowances.

The Heriot Free Schools.—These schools have been for more than thirty-seven years part of the Heriot foundation, but they are quite

Heriot Free Day Schools. Origin of these.

distinct from the Hospital. The Hospital revenues having largely increased, chiefly in consequence of the growth of Edinburgh, which raised the value of the lands for feuing purposes, and partly through the judicious management of the Governors, it became a question, in 1834-6, how the annual surplus, which in 1835 was £3000, was to be disposed of. The extension of the Hospital was not necessary. The erection of various Hospitals in Edinburgh had made ample provision for orphans and the children of decayed and necessitous families, while in Heriot's Hospital itself there was accommodation for about 180 foundationers.

Portion of surplus ought to have been applied to bursaries.

In these circumstances, some portion of the surplus funds ought, in our opinion, to have been applied to the second, but by no means secondary, purpose contemplated by the founder, viz. the institution of additional bursaries at the University of Edinburgh. The educational condition of the humbler classes in Edinburgh drew attention to the want of Elementary Schools; and an Act of Parliament was obtained, authorizing the Governors of the Hospital to establish free 'outdoor schools' for the education of the children of the poorer classes of the city, giving a preference to burgesses' children (Act 6 and 7 Will. IV., 14th July 1836). The University of St. Andrews did not oppose this Bill, probably because they were not at the time sufficiently alive to their reversionary interest in the Heriot fund.* There is no record, so far as we can discover, that the University took any steps with regard to the Bill in the House of Commons. Sixteen Free Schools, of which five are Infant Schools, have been built under this Act; and since the Commission began its sittings, four additional schools have been instituted. They are planted in the most populous and needy parts of Edinburgh, and are fully attended. The enrolment at this date is 4126. There is always considerable pressure to obtain the privilege of enrolment; and this not merely or chiefly because the schools are free schools, but because they are efficiently taught. The evils which usually attend gratuitous instruction are not experienced in the case of the Heriot Schools, because admission is generally regarded by the parents as a privilege, and removal from the roll is the recognised punishment of irregular attendance.

Salaries of teachers of Free Schools.

The master of each Mixed School receives £220 per annum, and the mistress of each Infant School £75. The remainder of the teaching staff consists of monitors, who are paid by the Governors of the Hospital an average of £15 per annum each, and receive special instruction from the teacher under whom they serve.

Books given gratuitously.

Books are given gratuitously to all the pupils, as well as education. The total cost of maintaining the schools was in 1873 £7198.

* Evidence, 7702

That these schools were of great service to Edinburgh at a time when there was no public legislative provision, and when the Privy Council system was not yet in operation, is beyond question. It seems to us equally beyond question that the extension of these Free Schools is now unnecessary. Under the Education (Scotland) Act, 1872, as already stated, such deficiency of education as may be found to exist in Edinburgh is being supplied. Considering the legislative provision thus made, we could not but view with regret the action taken by the administrators of the Heriot Foundation in hastening to add four new Free Schools to the number already instituted. By the Act of 1836 they were doubtless empowered to spend their surplus funds in this direction; but the circumstances of Edinburgh, as of all other districts in town or country, had been entirely changed by the passing of the Education (Scotland) Act, 1872.

These schools
a great boon
to Edinburgh.

Legislative
provision made
further exten-
sion unneces-
sary.

The question of Gratuitous Instruction is considered in Chapter V. With respect to the Heriot Schools, it is enough here to state that we have evidence that a very considerable number of the pupils are able and willing to pay fees; and we are of opinion that paying children should be allowed to enter all these schools, and that only a certain proportion of places in each should be reserved for the non-paying. In this proposal we have the support of the majority of the Governors themselves. An apprehension entertained in some quarters that bad feeling would spring up between paying and non-paying pupils, we believe to be altogether illusory. While we think that the Free Schools should not be further extended in Edinburgh at the cost of the Heriot Fund, we are not prepared to make any recommendation which would lessen the present number of these.

Gratuitous
Instruction.

If effect be given to these suggestions, the present Free Schools may claim Government grants to the extent at least of the fees paid, and if fees are exacted from two-thirds of the pupils, about £2660 per annum would be thus saved to the Foundation. The abolition of the Apprentice Allowances would also save a considerable sum.

It will be apparent that, in these suggestions with respect to the Heriot Foundation, we have been influenced by a desire to return to what we believe to have been the purposes of the Testator, modifying the interpretation of these only in so far as the altered circumstances of the country and the increase in the Fund demand. The explanation given in evidence by Bailie Tawse and Dr. Gray of the Provisional Order which was applied for in 1870,* would lead us to expect the concurrence of the Governing Body in most of our suggestions.

Suggestions in
accordance
with Founder's
will. Many of
them sup-
ported by the
Governors.

* See Evidence, 1773 *et seq.*, 2553 *et seq.*, 2602 *et seq.*, 2652 *et seq.*, 2831 *et seq.*, etc.; also Appendix, Vol. 1.

2. *John Watson's Institution.*

John Watson's
a Parliament-
ary Hospital.

This Hospital may be called a 'Parliamentary' Hospital; that is to say, it exists in its present form under an Act of Parliament, and is supported by funds wholly diverted from the purposes of the Testator.

John Watson's
will.

In 1759 John Watson, Writer to the Signet, Edinburgh, left a sum of about £5000—being the residue of his estate after certain payments were made—to trustees, to be applied by them, 'at sight of the Magistrates of the City of Edinburgh, to such pious and charitable uses within the said city as the said trustees or trustee shall think proper.'

In consequence of private instructions given by the testator, who 'had made a rash vow which he thought binding on him,' the trustees executed a deed of destination (13th August 1764) whereby the 'free income' arising from the bequest was to be applied to the 'pious and charitable purpose of preventing child-murder.' An hospital for receiving pregnant women, and taking care of their children as foundlings, was ordered by the trustees to be instituted. They appointed the Principal Keeper, Deputy Keeper, and Commissioners of the Writers to the Signet, Edinburgh, to act as trustees after their decease.

Diversion of
Fund.

In 1822 an Act of Parliament was obtained to alter the destination of the Foundation (3 Geo. IV. cap. 23, 1 and 2), in the preamble of which the following words are used:—

'Whereas no step has hitherto been taken towards building, establishing, and endowing an Hospital in terms of the said deed of destination, but the fund has been preserved and accumulated by the care and attention of the Keepers and Commissioners of the Signet, and now amounts to the sum of £61,276, 13s. 11d.; and whereas doubts are entertained as to the propriety of the institution of an hospital such as the trustees ordered,' etc. etc.

Power was given in the Act to the trustees to acquire ground and to erect 'an Hospital with all proper appendages, for the maintenance and education therein of destitute children, and bringing them up to be useful members of society, and also for assisting in their outset in life such of them as may be thought to deserve and require such aid.'

The Hospital was opened under the title of 'John Watson's Institution,' in 1828.

Government of
Hospital.

Administration.—The Directors, who are appointed by the Trustees, are all Commissioners of the Signet in Edinburgh. There is no ecclesiastical qualification or disability.

They are divided into three committees—*Home, Education, and*

Finance—and these exercise a direct control, subject to the supervision of the whole Board. There is a paid treasurer and a clerk.

The foundationers now number 100, viz. 56 boys and 44 girls.

No contribution is paid by relatives towards the cost of maintaining the foundationers, 'except a small contribution by a few to defray the cost of extra musical education;' that is to say, of pianoforte instruction, for singing is taught to the whole school by a visiting master.

The children are admitted between the age of seven and nine, and remain till they are fourteen complete. They are *all* fatherless children, and belong to decayed or necessitous families. They are nearly all from the 'better classes,' and no preferential claims on ground of name, place of residence, etc., are allowed.

Children admitted under eight are required to be able to read any simple lesson-book; and those above eight are further required to be able to write an easy sentence, to work short sums in simple addition and subtraction, and to be able to repeat the multiplication table.

Seventy-five of those at present in residence are the children of professional men, and the others are the children of farmers, clerks, manufacturers, etc. There is a disposition on the part of the Directors gradually to raise the class from whom selections are made. In consequence of the wide range of selection, the number of applicants last election was 30 for 17 vacancies.

As each child leaves the institution, he or she receives £5 in money and a Bible, and £5 more by instalments during the subsequent four years.

In peculiar and rare cases the Directors exercise the power of giving 'extra education of a higher order.' Notwithstanding this provision, none of the boys, on leaving, go forward to the University, which is remarkable, considering the class in society from which they mostly come.

Domestic Arrangements and Discipline.—All the children reside in the Hospital building, under the care of a head-master, matron, and assistants. The head-master has a separate house in the grounds of the institution, but he is responsible for the working of every department, and for the discipline.

Internal
arrangements
of Hospital.

The foundationers leave at the age of 14, and their curriculum of study has consequently to be constructed with special reference to this. The usual English branches are taught, and in the upper classes Latin, French, a little Greek, and Mathematics. The girls are taught with the boys, except in Latin, Greek, and Mathematics; and they are specially instructed in sewing and shaping, washing, starching, and ironing. They also make the beds

of the establishment, and assist in dusting and in other light household work.

Financial
statement.

Lessons in Physiology are given to the highest class. Singing is taught to all, drill to the boys, and the piano to those girls whose relatives choose to pay for it.

Revenues.—The capital sum of £109,000 is invested mainly in bank stock and railway debentures.

The gross revenue was, for the year ended 1st August 1872, £4,555, 2s. 6d. The expenditure on the foundation, including cost of management, repairs, etc., was £4,036, 19s. 7d., or £40, 4s. per head, showing a balance of £420, 13s. 1d.

The number of foundationers, as has been already stated, is 100, and there is accommodation for a few more. There cannot be said, therefore, in a strict sense to be any surplus funds; but there is some prospect of increase of revenue, owing to the increasing value of bank stock in Scotland.

Difference
of John Wat-
son's from
Heriot's.

There are four respects in which John Watson's Hospital differs from Heriot's:—(1) It admits girls as well as boys. (2) It draws exclusively from the middle class, and largely from the professional part of the middle class. One-half of the present residents are the children of ministers, medical men, or lawyers; and the remainder are the children of merchants, using this term in a wide sense, and of clerks. (3) It draws its supply from all parts of the kingdom. (4) The foundationers are all fatherless.

This Hospital
should not be
continued in
its present
form.

The recent institution of Fettes College, and the restriction of the foundationers there to the class which the Directors of John Watson's wish chiefly to benefit, make it, in our opinion, undesirable to continue this foundation in its present form. We would not interfere with the application of the revenues in so far as they relieve orphan girls, but we think that provision might be made for them, at much less cost than at present, in their own homes or in those of their relatives, during the period of their Elementary instruction, from 7 to 13; and this with great advantage to themselves.

Higher
Secondary
School for
Girls.

Admission to the Institution would then be reserved for those only who had aptitude for more advanced instruction. These might be boarded in the vicinity of the Hospital or in a portion of the Institution itself. The Hospital School might then be converted into an Upper School for the Higher instruction of girls, open to qualified foundationers gratuitously, and to all who chose to take advantage of it at a reasonable fee. We would propose to throw open places on the foundation to be competed for by girls desiring Higher instruction.

Were this done, and were the work of the school so organized as

to carry the education of girls further than has yet been proposed in any Public School in Scotland, an important addition would be made to the educational institutions of the country. As a place where girls would be thoroughly prepared for the duty of governesses and of mistresses of Upper Schools, it would be of great public utility. The John Watson Fund, having been already diverted, may be said to be in some respects a Parliamentary fund, to be disposed of in such a way as the Legislature may consider most beneficial to the community in present circumstances.

3. *Donaldson's Hospital.*

This Hospital accommodates deaf mutes as well as hearing children of both sexes.

The following is an excerpt from Mr. Donaldson's testament, dated 4th July 1828:— Donaldson's testament.

James Donaldson, Esq. of Broughton Hall, who was born on the 10th December 1751, and died on the 19th October 1830, by a holograph will, dated the 4th July 1828, gave and bequeathed 'his whole property, heritable and personal, to build and found an Hospital for Boys and Girls, to be called DONALDSON'S HOSPITAL, preferring those of the name of *Donaldson* and *Marshall*,—to be after the plan of the Orphan Hospital in Edinburgh and John Watson's Hospital;' and by the same deed he appointed trustees for executing this will.

In 1833 the trustees obtained from the Governors of Heriot's Hospital a feu of about 17 acres of the lands of Coates, as a site for the Hospital. The trustees agreed that it would be proper to erect a building of a size sufficient to accommodate 400 children, 200 boys and 200 girls, although, until the expiry of the annuities bequeathed by Mr. Donaldson, the Hospital funds would not be more than sufficient for the maintenance of 300 children. Proceedings of Governors.

In 1844 the surviving trustees executed a deed of constitution, by which they devolved the management of the Trust Funds and of the Hospital on 27 persons. Of these, the following were and continue to be *ex officio* Governors and Trustees, viz. the Lord Justice-General, the Lord Clerk Register, the Lord Advocate, the Lord Provost of Edinburgh, the Lord-Lieutenant of the County of Midlothian, the Principal of the University of Edinburgh, the senior Minister of the Established Church in the Town of Edinburgh, the two Ministers of the Parish of St. Cuthbert's, the Preses of the College of Physicians, the Treasurer of the Bank of Scotland, and the Secretary of the Bank of Scotland. The other fifteen were appointed by name; and it was directed that the three whose names were uppermost on the list should go out of office annually, and that three others should be elected by the Governors, 'by lists to Deed of Constitution.

‘ be given in by the Governors,’—no person being eligible for re-election who had been out of office for less than a year.

It was further ‘ appointed ’ in the said deed of constitution that the Governors were ‘ to choose and admit from time to time into ‘ the said Hospital such a number of poor children, one-half of ‘ whom shall be boys and the other half girls, as the funds may at ‘ the time be sufficient to maintain, clothe, and educate, of which ‘ the said Governors ’ were to be the sole judges ; ‘ such children to ‘ be clothed and maintained in the said Hospital, and taught and ‘ instructed in such useful branches of education as may be considered by the said Governors to be suitable to their station, sex, ‘ and age ; declaring that no children shall be admitted to the ‘ benefit of the said charity whose parents are able to maintain them.’

The Governors are not limited in any way (except in so far as the preferential names limit them) in their selection. They draw from all Scotland, the sole qualification being destitution. In 1848, however, they resolved to set apart a portion of the Hospital buildings for the reception and education of Deaf and Dumb children of the destitute class.

The education of those foundationers who were not deaf and dumb was to be regulated by the following report, the object being ‘ to fit the boys for trades, and the girls for house-servants.’

Course of
education for
boys not
Deaf Mutes.

‘ *Education of the Boys not Deaf and Dumb.*—The Committee ‘ suggest that these boys should be taught English, Reading, ‘ Writing, Arithmetic, Geography, and a little Mathematics ; but ‘ that the last should be taught to those boys only who show a ‘ natural aptitude for the study.

‘ The Committee do not consider it expedient that the children ‘ should be instructed in trades in the Hospital ; but, as calculated ‘ to interest and enliven the young mind, and to call into operation ‘ faculties and powers which might otherwise remain undiscovered ‘ and unexercised, care should be taken that the boys who show ‘ any aptitude for it should be instructed in the elements of Mechanical Science and Natural History, and that every encouragement should be afforded in pursuing these investigations. They ‘ should also be taught Mechanical and Architectural Drawing, and ‘ their attention should, as the House-Governor may arrange, be ‘ directed to Gardening and Floriculture,—pursuits at once interesting, instructive, and useful.

‘ The Committee suggest, that when the boys attain the twelfth ‘ year of their age, the House-Governor should, by circular letter, ‘ communicate with their relatives respecting the trade or profession ‘ which, judging from their inclination, capacity, or prospects, they ‘ are most likely to pursue ; and their future studies, so far as may

'be compatible with the existing arrangements of the Hospital, should be regulated accordingly; but in the case of Deaf and Dumb boys, the House-Governor should previously consult with their master.

'*Education of the Girls not Deaf and Dumb.*—The Committee recommend that these girls should be taught by the female teachers English, the elements of Geography, Sewing, and Knitting; and that the male teachers should instruct these girls in Writing and Arithmetic, and should also instruct the more advanced classes of them in English and Geography; and that the girls should also be taught Washing, Ironing, the management of the Kitchen Department, and the duties of House-Maids.'

Course of education for other girls.

'It is proposed by the Committee that all the children not deaf and dumb should be instructed in Vocal Music.

'*Education of the Deaf and Dumb Children.*—The Committee propose that the modern system of teaching the Deaf and Dumb shall be followed.

System of education for Deaf Mutes.

'*Residence of the Children in the Hospital, etc.*—The Committee recommend that the children, when admitted into the Hospital, shall, if no cause shall occur for their exclusion from it, be allowed to remain in it till they shall have attained the age of fourteen years complete, and no longer, in terms of the deed of constitution.

Period of residence.

'In the case of the Deaf and Dumb children, the Committee strongly recommend that they should, on completing their education, either be apprenticed in that parish or district from which they come, or if not apprenticed, shall be returned to their parents or others in their native districts.'

The Hospital was opened in 1850.

The Governors are divided into Committees, and exercise a direct control over every department of the Hospital.

There are 220 children in residence, of whom 127 are hearing children; and of the hearing children only 20 are the children of living fathers. 96 of the residents are girls.

Internal arrangements.

At last election there were 38 vacancies (19 boys and 19 girls) and 93 applicants.

The children are admitted from 7-9, and leave at the age of 14, and the hearing children are required to pass a very elementary examination before admission. The Governors have the power of dismissing the children at any time. Only in exceptional cases is assistance given to those who leave the Hospital after having passed through the curriculum.

The children wear a Hospital dress, but not of a very marked kind, and the style of the girls' hats and dresses is changed every season. They are sent to stay with their friends during the summer holidays, which last for six weeks; and those above 10 are allowed to visit friends in Edinburgh on Saturday. The Spring holidays are to be lengthened.

The course of instruction seems to be well adapted to fit the boys for their future occupations in life: the elements of science are systematically taught, and the girls are instructed in household work.

In our First Report more detailed information will be found—especially in the Report of the House-Governor. The paper on the Education of the Deaf Mutes, by the Head-Master of that department, is of more than local interest.

Financial
statement.

The accounts show that the capital of the Trust, exclusive of the buildings, ground, etc., was, at 31st December 1871, £237,111, 19s. 4d. The gross revenue was £10,147, 16s. 9d., and the expenditure £9056, 15s. 9d., the surplus being £1091, 1s. The cost per head of foundationers was about £35, 2s. The funds are invested in land, in heritable securities, and in Government and Bank Stock.

Departure
from strict
letter of Will.

It is scarcely necessary to point out that the Governors of Donaldson's Hospital have departed, in the exercise of what may have been a wise discretion, from the instructions of the founder. One-half of the places on the foundation have not been reserved for girls. The conviction that Scotland was already fully supplied with charitable institutions of the character contemplated by the founder, led the Governors to undertake the maintenance and education of deaf-mutes. This feeling on their part has not been lessened by experience; for after the passing of the Endowed Institutions (Scotland) Act, 1869, they took steps to extend the benefits of the Hospital more largely to the afflicted class, and to reverse the proportions of deaf-mutes and of hearing foundationers.* After instituting careful inquiries throughout Scotland, the Governors resolved:

'1st, That the number of children in the department of Deaf Mutes in the Hospital should be extended, and the number of children in the department for the hearing children should be diminished, so as to embrace, if possible, within the Institution, all children in Scotland, deaf mutes and destitute, who may apply for admission, and may seem to the Governors fit objects of the charity, without excluding therefrom a certain proportion of hearing children.

2d, That the Governors, following out the above resolution,

* *Vide* Appendix, Vol. I.

agree that the number of deaf mutes in the Hospital shall be increased from 70 to 80, and that the number of hearing children shall be proportionately diminished.'

We are not prepared to say that by adopting this course the Governors are not making a wise and beneficial application of their funds; but if changes are to be made, we are of opinion that the whole subject is to be considered with reference to larger and more varied interests.

Notwithstanding the opinion expressed by the Treasurer and Governor, that the hearing children admitted to the foundation belong to a class in the community which would make it impossible for the Governors to secure for them in families training as careful as they receive in the Hospital, we think that the boarding-out system is as applicable to this Institution as to any other. As is well known, the children of paupers are boarded out in Scotland, with signal advantage to the children themselves and to the community at large. If the class of hearing children admitted on the Donaldson Foundation is above the pauper class, there can be no insuperable obstacle in obtaining for them such nurture and education as they would have received had their fathers lived, by boarding them in the locality to which they belong, and sending them to inspected public schools. If, on the other hand, many of the foundationers belong to what may be called the pauper class, the difficulty is still less; and the further question arises, whether the relief of such children was contemplated by the founder at all, and whether in any case a large foundation should be so administered as merely to relieve the poor-rates. An important fund so applied would be to that extent squandered, and only an infinitesimal pecuniary relief afforded to each of the various parishes from which the children came.

It is certainly a matter for remark that £35, 2s. per annum per head (not including the value of the buildings and grounds) should be spent on each child of this humble class. The Governors may feel that they have done their duty if they provide for the foundationers such advantages as they would have had during the lifetime of their fathers. It may not be necessary to interfere with the proportion of hearing children whom the Governors propose in future to benefit, but the manner of aiding them might be so altered as to save more than half the present outlay.

We speak only of the hearing children. But also in the case of the deaf-mutes a considerable economy, it seems to us, might be effected. A great many are the children of living fathers in such circumstances as should enable them to contribute to the maintenance of an afflicted child. Were 150 deaf-mutes on the foundation as the Governors propose, it is not an extravagant supposition that

Boarding out
applicable to
Donaldson's.

Payments from
parents of
deaf-mutes.

the parents or relatives of the great majority of these would be able and willing to subscribe an average of £10 a year for their maintenance, clothing, and education.

Arguments
against Hos-
pital system
may not apply
with equal
force to an In-
stitution for
Deaf-mutes.

It may be that the arguments against the Hospital system do not apply to the same extent in the case of the Deaf and Dumb. There are certain educational advantages at once obvious in the congregating of deaf-mutes in one establishment under competent instructors, which may be held to deprive the arguments against the Hospital system of some of their force. At the same time, the want of domestic influences must be, in the case of these children, a great evil.

Advantage to
Deaf Mutes to
mix with other
children.

We are also sensible of the advantages which the deaf-mutes who are being trained to enter the business of life derive from mixing with speaking and hearing children; but this mixture can be equally well attained by opening up the Institution as a day school.

The direction in which the trustees might apply the surplus funds which would remain if effect were given to the above suggestions is indicated in Chapter VI., and in Recommendation III., p. 221. By means of bursaries to advance the education of boys a great boon would be conferred on the country. Secondary Schools in the vicinity of Edinburgh might also be aided under conditions imposed by the Governors.

We wish it to be understood, that in using the word 'bursary' here and throughout the Report, we use it as applicable to payments made to enable boys to continue their education beyond the elementary stage, both at Public Elementary Schools and at Secondary Schools, no less than at Universities.

Hospitals not
specially re-
ferred to should
be reformed
generally on
the model of
those treated in
this Chapter.

Those Hospitals in Edinburgh which are not made the subject of special remark are omitted because the application to them of the general principles laid down is sufficiently obvious. The most important Hospitals outside Edinburgh are Gordon's, Aberdeen, and Morgan's, Dundee—cases which it would be superfluous to treat in detail here after what has been already said regarding similar foundations. The special circumstances of each locality will determine the direction which reform should take. It may be a question whether certain petty Hospitals, such as Brooklands, Sehaw's, etc., should be continued, even as schools, if the educational wants of the district are already fully supplied. In such cases we would strongly recommend that foundationers should be sent to Public Schools.

Secondary
Instruction
of Girls.

In concluding this chapter, we would refer to the bearing of existing endowments in Scotland on the Secondary instruction of girls. The opening up of the Merchant Maiden Hospital in

Edinburgh brought this subject specially under our notice, and a memorial received from the Ladies' Educational Association urged the claims of girls to a fair share of national endowments.* The result of our inquiries is, that the endowments for Elementary and Secondary instruction are pretty fairly apportioned in Scotland among boys and girls. With the exception of the High Schools of the large towns of Edinburgh, Glasgow, and Aberdeen, all the Endowed Schools are open to girls. In the case of Hospital endowments, although the trust deeds limit the benefits to boys in Heriot's, Gordon's, Morgan's, Cauvin's, and Schaw's Hospitals, we find, on the other hand, that girls exclusively are eligible to the Merchant Maiden and Trades' Maiden. It cannot, therefore, be said that the claims of girls have been overlooked in the past; and in any changes which may be introduced into the Hospitals or Higher-class Schools of Scotland, we should expect that the education of girls would, as hitherto, receive the attention of governing bodies.

For the Higher instruction of girls it is scarcely necessary to say that no provision exists. And looking to the number of young women who desire Higher instruction, either with a view to their own cultivation, or to professional life as governesses in private families or teachers of the higher class of schools, we have thought that one institution capable of providing this kind of instruction might be established in Edinburgh. Hence our recommendations with respect to John Watson's Institution.

* See Appendix, Vol. II.

IV.—CONDITIONS IN DEEDS OF FOUNDATION.

The principle
of changes
recommended.

THE changes which we have to recommend in the 'administration and use' of endowments are such as, we believe, will best give effect, in the altered circumstances of the times, to what we may presume to have been the real purposes of the founders. If any of our proposals seem to go further, this will only, we think, be found to be the case when evils have grown up in connection with present systems of administration, to which it is necessary, in the true interests of society, that a remedy should be applied. On the question how far we are entitled to go in this direction, conflicting views have been laid before us. It is hardly possible to discuss the subject thoroughly in the abstract, differences in the circumstances and character of endowments necessarily involving different considerations. But it may be well to state the leading principles by which, in our opinion, action in this matter should be guided.

Necessity of
modifying
conditions of
Founders.

One or two witnesses deprecate any departure from the strictest observance of the terms of bequests, where such observance is at all possible; but, as was to be expected, the great weight of the evidence is in favour of an opposite view. As time goes on, many conditions imposed by founders tend to become discordant with, or at least inapplicable to, the changes that inevitably take place in the state of society; and the longer such conditions are observed, the more mischievous is their effect. As a matter of expediency, therefore, it is plainly desirable that conditions of this character should be modified from time to time, so that foundations may be truly adapted to the altered state of things, and full scope given to their beneficial influences. The right of the Legislature to regulate endowments for the purpose of furthering such ends is now generally recognised; nor can those who maintain the obligation to observe literally all conditions imposed by founders rest this opinion upon any sound principle of law. The policy of law is opposed to destinations of property beyond a limited time: 'the law abhors perpetuities.' This general policy is relaxed in favour of great educational or charitable purposes; but when it can be shown that these purposes are not adequately attained, society rightly exercises a power of modifying conditions which obstruct the beneficial operation of the endowment. In England, the Court of Chancery has always exercised extensive powers in the way of modifying and altering trusts. Such powers do not appear to have been exercised by the Scottish Courts so fully as by the Court of Chancery; and hence, perhaps, it is that trustees and governing

bodies in Scotland have introduced changes at their own hand more freely than has been usual in England.

In fact, it is impossible to take up the ground of literal observance of the conditions in founding deeds without condemning the action of the trustees of almost all the more important Scottish benefactions. As a rule, this action has been forced upon them. For it is not too much to say that the cases are very few in which all the conditions, especially in foundations of old date, can be observed. Even in recent foundations they are sometimes quite unworkable; or they lead to extravagant results, as in the case of the Burnett Treatise Fund. Sometimes trustees have altogether disregarded conditions strongly enforced by the founder—as in the Douglas Free School, Newton-Stewart (a comparatively recent foundation), where the foundationers are required to attend church on the first day of the year, ‘the girls to be dressed in white, with a red ribbon sash round their waist, and their hair in ringlets down the shoulders to be powdered, and to be adorned with artificial or natural flowers; and the boys to be dressed in green coatees, with white waistcoats, long trousers tied with ribbons above the ankle, to have a white stock and bands hanging down the bosom, to have a little green silk bonnet on their heads, set round with flowers.’ Indeed, the trustees have made the observance of one part of these conditions impossible, by having no girls on the foundation at all. Some endowments have been from the first unequal to the purposes to which they were destined; and the trustees not having felt themselves authorized to apply them to different purposes, the charity remains altogether inoperative. Such are Spier’s Trust in Ayrshire, and the Macmillan Trust in Glasgow. A large class, on the other hand, have so increased in value as to render their application to their original purposes altogether out of keeping, and presumably by no means in accordance with the ideas of the testator. Such are the Closeburn School Foundation, Dumfries; the Hutton Bequest, Dumfries; and Hutcheson’s Hospital, Glasgow. Certain purposes, again, of other foundations, as in the case of the Philp Bequest, Fife, have been superseded by modern legislation, especially by the Education (Scotland) Act, 1872.

From one cause, then, or another, deviations from the regulations laid down, or the purposes contemplated by the founder, have almost universally taken place. More striking examples of the disregard which, sooner or later, overtakes founders’ wills can be found nowhere than in Edinburgh. Thus, Donaldson’s Hospital was founded as a ‘Hospital for boys and girls,’ with a preference to the names of Donaldson and Marshall; and the governors were to admit ‘such a number of poor children, one-half of whom shall be boys, and the other half girls, as the funds may be at the time

Conditions
not always
observed.

Deviations
from Founders
Wills in Edin-
burgh:
Donaldson’s.

sufficient to maintain, clothe, and educate,' etc. Twenty years after the death of the founder, it was resolved to admit deaf and dumb children to the Hospital. It has recently been determined to make these deaf and dumb pupils preponderate in numbers, although such a step will, according to the evidence of the headmaster, be positively disadvantageous to the other pupils;* and the requirement of poverty has, with this object, been relaxed in favour of deaf and dumb children.† This innovation, however defensible on the ground of general usefulness, receives no countenance from the founder's will, in which nothing is said about deaf and dumb children at all—nay, it may be said to be at variance with its purport, and especially with the references made by the testator to the plan of other Hospitals in Edinburgh.

Deviations:
J. Watson's.

Even more remarkable have been the deviations from the founder's intentions in the case of John Watson's Hospital. Mr. Watson, in 1759, left a sum to trustees, to be applied by them 'to such pious and charitable uses' as the Magistrates of Edinburgh might think fit. He subsequently instructed his trustees that he wished his bequest devoted to 'the pious and charitable purpose of preventing child-murder;' and, in accordance with his instructions, his trustees, in 1764, executed a deed of destination for the establishing of a Hospital for receiving pregnant women, and taking care of their children as foundlings. This purpose was not carried out. In 1822 an Act of Parliament was obtained altering the destination of the founder, on the ground of 'doubts as to its propriety;' and power was given to the trustees to erect a Hospital for 'the maintenance and education of destitute children.' There are now 100 children in the Hospital. They must be fatherless,—a restriction not enjoined by the Act of Parliament,—and they are taken exclusively from the better classes, being children of doctors, clergymen, lawyers, etc., whose families may have fallen into decayed circumstances,—a qualification by no means suggested by the words 'foundlings' or 'destitute children,' and justified to us on the ground that to have 'different classes of parents coming about the house' did not 'work well.'‡

Deviations:
Merchant
Company.

In the scheme of the Merchant Company, which recently came into operation, the restrictions imposed by the founders of three Hospitals have been, in important points, disregarded. Some have been nominally preserved, a distinction—the reason of which is not very satisfactorily explained—being taken between preferences to children of burgesses on the one hand, and the children of those who are at once burgesses and guild brethren on the other; but the practical result would appear to be that, with the exception of the presentations to the Merchant Maiden Hospital in the

* Evidence, 3799–3803.

† *Ib.* 3489.

‡ *Ib.* 5558.

gift of persons other than the governors, it is in the power of the governing body to elect one-fourth of the foundationers by competition in George Watson's, the Merchant Maiden, and Daniel Stewart's Hospital, and to elect the remainder without regard to the name and class-preferences enjoined by the founders; and 'the Governors have now the power to decline electing any person whose election would, they think, be undesirable, and of removing any one from the foundation whose connection with it should, in their opinion, cease.'*

In the history of Heriot's Hospital we find a remarkable example of disregard of the founder's will. Heriot's original foundation was for 'puir orphans and fatherless childrene of decayit burgesses and freemen' of the burgh of Edinburgh, and it was to be in imitation of Christ's Hospital, London. From the direction as to sending boys to College, and from the provision made for bursaries to the Universities in the codicil, it may fairly be inferred that Heriot had it in view to afford the highest education to boys of merit. His wishes in this respect have not been regarded. The full number of bursaries directed to be founded was never filled up till 1818, and neither in number nor in value have they been increased in proportion to the growth of the wealth of the foundation. In fact, the Hospital has never at any time been conducted so as to afford to its inmates an education such as has always been within the reach of able boys at Christ's. The records of Heriot's show nothing which can be named beside the 'Grecians' of Christ's Hospital; and it will hardly be supposed that this is attributable to national inferiority. Also the present practice—which has obtained since 1742—of retaining the senior boys in the Hospital house, is at variance with the literal provisions of the statutes of Dr. Balcanquall.

Deviations :
Heriot's.

Still more marked has been the deviation as regards the qualifications for election to this foundation. In the first place, the word 'fatherless' was omitted by Dr. Balcanquall in the rules which he drew up for the Institution, in virtue of powers conferred upon him by Heriot. The effect which has been given to this omission may be judged of from the fact that, at present, out of 180 foundationers, only 62 are fatherless. And this notwithstanding a decision by the Court of Session in 1843, in which opinions were expressed by almost all the judges to the effect that fatherless children have a 'legal right of preference' over those whose fathers are in life. The Lord Ordinary in that case held, 'that by the express terms of the said will (Heriot's), the pursuer, as being a fatherless boy, belonged to that class of persons for whom the charity was specially constituted, and that the statutes of Dr. Bal-

Ross v. Governors of Heriot's Hospital, 5 D. 589.

* Evidenco, 401, 449, 450, 541.

canquall must be construed with reference to and in consistency with that, as the first and fundamental character of the institution;’ and this was not only adopted by the other judges as the law of the case, but was acquiesced in by the Hospital authorities, though it does not appear to have been acted upon. Neither are the foundationers now children of burgesses and freemen in the sense of the words in Heriot’s time, nor are they sons of ‘decayit’ parents. They are, on the contrary, the children of any who choose to pay £5 for a burgess ticket. Hence, even the members of the governing body are constrained to admit that the present administration of the Hospital is not in accordance with the will of the founder, or, in other words, that the class now benefited is not the class which the founder intended to benefit.*

Besides all this, the Act of Parliament of 1836, empowering the governors to establish free outdoor schools in Edinburgh, was plainly not authorized by anything in the founder’s will. In the words of Bailie Lewis,† ‘the out-door schools were totally foreign to the will;’ and the Provisional Order applied for by the governors in 1870 was, in the opinion of the then law officers of the Crown, so subversive of the purposes of the foundation as not to be authorized even by the wide powers given by the Endowed Institutions (Scotland) Act, 1869.

Deviations:
Glasgow,
Aberdeen,
Elgin, Stirling,
Philp Bequest
(Fife), Dollar,
Paisley, Milne
Bequest.
Aberdeen.

Deviations from founders’ wills, hardly less important than the above, have taken place elsewhere. In Hutcheson’s Hospital, Glasgow, the managers have repeatedly modified the statutes of the founders; and the charity was altogether re-cast by a private Act in 1872. Gordon’s Hospital, Aberdeen, originally limited to ‘indigent male children and grandchildren of decayed merchants and brethren of guild,’ has been thrown open to ‘all classes of the community within the municipal boundary of Aberdeen.’ The will of General Anderson makes very special provision for the establishment of a school of industry in the Elgin Institution;—there never has been a school of that character in any proper sense of the words. The funds of Spittal’s Hospital, Stirling, have been diverted from maintaining burgesses in the Hospital House to bestowing pensions on craftsmen and their widows. As to Cowane’s Hospital, also in Stirling, it is sufficient to quote the words of the Report presented to the Home Secretary in 1871 by Sheriff Blackburn and Principal Tulloch, after an inquiry held by them as Commissioners under the Endowed Institutions (Scotland) Act: ‘A deed of foundation, whose limitations from the first have been so systematically evaded as that of Cowane’s Hospital, can scarcely be pled in bar of any proposed extension of the benefits of the charity.’ The funds of the Philp Bequest, Fife, strictly destined, by the provisions of the

* Evidence, 3052, 3320.

† *Ib.* 3321.

deed, to the poor, now supply a free education to a considerable district, including many not of the class which alone the founder intended to benefit. The same holds good, in a greater or less degree, with regard to many of the most important charities of Glasgow. The Dollar Institution as it now exists can hardly have been contemplated by the founder. The Neilson Fund, Paisley, and even smaller bequests, such as the Burnett Bequest, Saltoun, may also be mentioned as instances of deviation from the original purposes of the charity. Nor do we see that Dr. Milne's important direction to his trustees, that they should not apply the funds so as to relieve rates, has been properly observed. Finally, almost every witness has urged the overthrow of the Hospital system, the observance of which is enjoined by so many founders.

In short, our inquiries have led us to believe that it would be difficult to find a single case of an endowment of any importance (except, perhaps, the Dick Bequest) in the administration of which there has not been more or less departure from the conditions imposed by the founder. We would by no means be understood to regard this as in any way matter for surprise or reprehension. Almost all the changes were intended for the public benefit; and the large proportion of them have so operated. In some cases they have been made in virtue of general powers in the deed which are supposed to justify them. In other cases they have been inevitable—forced upon the trustees by changes of circumstances, by increase in the wealth of the foundation, not unfrequently by the establishment of new charities in the same district. But this only shows more conclusively that, in the great majority of cases, it is no longer in our power to observe literally the conditions imposed by founders. What we can do is to carry out the spirit of the founding deeds as truly as possible, having regard to the public interest and the existing state of society.

Spirit of Founders' Deeds can alone be observed in the majority of cases.

It seems to be generally conceded that narrow restrictions in the administration of endowments, of educational endowments especially, are harmful—in some cases doing positive mischief; in all, causing the endowment to fall short of the good it might accomplish. Accordingly, in the evidence we have taken, amid much diversity of opinion, the doctrine of literal observance has been maintained by very few.

Restrictions are hurtful.

Preferences to persons bearing particular names have not been supported by any witness. In the new scheme of the Merchant Company such preferences have been altogether abolished, and the grounds on which that has been done are thus stated by Mr. Boyd, the late Chairman of the Company, in his pamphlet on the subject, to which he has referred us in his evidence:—‘The preference claims of children who bore particular names have been altogether

Name preferences.

abolished. I may here state, what indeed is well known, that great evils arose from the obligation to admit such children to educational hospitals. Their education was too often neglected by their guardians in their earlier years, who thought there was little use troubling themselves about it, or paying school fees, since they would be sure of getting them into an hospital, where everything would be done for them. The consequence was that these children were generally unfit to be placed in the same class with others of a like age; they required an unusually large amount of labour to be expended upon them, and, as a rule, were a drag upon the whole institution.'

Preferences to
Founders' Kin.

Preferences to founders' kin seem to stand on much the same footing. They lead, with equal certainty, to the practical evils pointed out by Mr. Boyd. Nor are they in any degree less objectionable in principle. Perpetual destinations are not permitted in law; and these preferences to founders' kin are nothing but perpetual destinations. What difference is there, in principle, between a bequest of money in trust for, or the tying up of land for behoof of, a particular line of descendants, and the foundation of a charity to be administered in favour of the founder's kin?

Trustees
should be
relieved from
above restric-
tions.

We would therefore recommend that trustees of Endowments be relieved from all restrictions in favour of persons bearing particular names, and that restrictions in favour of persons claiming kindred with the founder should be subject to a statutory limitation—say of thirty years.

Class prefer-
ences.

Preferences to particular classes of society, such as to the children of burgesses, or members of a guildry, are enjoined in some of the older foundations. These classes can hardly be said to be, in any real sense, now existent; when they do exist, it is more than doubtful whether they represent the same classes as are indicated in the founders' wills. Thus, the Edinburgh burgesses of the present day are not the burgesses of George Heriot's time; and it is very difficult to say what classes in the present state of society could be fairly held equivalent to the burgesses of 1623.* And the same may be said with regard to guild brethren.† So, too, in the case of Stirling, neither the 'Guildry' nor the 'Incorporated Trades' can be said to represent the mercantile and industrial classes of the community, as they doubtless did in the seventeenth century. In fact, in the judgment of the Stirling Commissioners under the Endowed Institutions (Scotland) Act, whose Report we have before referred to, these bodies now exist for 'little or no other object' than to entitle their members to a share of certain charities; and in the case of Edinburgh this is notorious. It seems, therefore, plainly undesirable

* Evidence, 2543, 2804, 3051, 3318.

† *Ib.* 432.

that such preferences should in terms be regarded; and the great weight of the evidence is in favour of this view. But, failing the precise terms in which they are expressed, it is right that their spirit should be taken into account. And that involves the question of preferences to particular localities, for these 'guild brethren,' 'burgesses,' etc., were residents in some town; and the question arises, whether the benefits of foundations in their favour should not be confined to persons who reside in the locality of the foundation.

This question of restriction of area is attended with difficulty.

Preferences to Localities.

We will at present discuss the question with reference to endowments for school education—including, of course, in some cases, support. University endowments, especially in this particular, stand by themselves, and will properly form the subject of a separate chapter.

We are of opinion that the seat of the foundation should, as a general rule, be maintained where the founder has placed it. This of itself implies a certain restriction of area as regards beneficiaries; for the privilege of instruction, so far as day scholars are concerned, can of necessity be enjoyed only by the children of those resident. And the more valuable this privilege, whether because of the excellence or the cheapness of the instruction, the greater the gain to the locality, which would thus attract people from all quarters. To this extent—that is, to the extent of admitting the children of all residents (if otherwise eligible) to the benefits of foundations, whether educational or otherwise—we are prepared to recommend that restrictions of area should be removed. The change would not be great, for, in point of fact, restrictions of charities of the class with which we are now dealing to persons born in certain localities are very rare. If we disregard restrictions to classes, as burgesses, etc., residence on the part of the parents will, in almost every case, meet the requirements of the deed of foundation.

Seat of Foundations to be preserved.

The real difficulty of the question meets us at the next stage: Can the benefits of the foundation be extended beyond the locality mentioned by the founder? Consistently with maintaining the seat of the foundation where the founder placed it, this can only be done by bringing the children of non-residents into the locality at the expense of the charity. The question is, whether such a measure is justifiable.

Extension of benefits of Foundation beyond seat of Foundation.

It may seem hard that, when a founder has left money in order to confer a benefit on some particular locality, his benefaction should, to any extent, be diverted from that locality. And if this were in truth the whole question, it would not be easy to justify any such interference. But this is by no means the whole question. It does not admit of being stated thus baldly. On the

contrary, many considerations are involved which give to it difficulty and complexity. In the first place, society is entitled to inquire whether the charity, as presently existing, does really confer a benefit or the reverse. There can, we think, be little doubt that, in some instances at least, the effect of these restrictions is not beneficial, even to the favoured locality. If they are confined, as they often are, within limits narrow in proportion to the amount of the foundation, they produce exactly the same evils as preferences to names and founders' kin. They exercise an influence positively mischievous upon those whom it was intended to benefit. They foster a tendency to rely on the endowment—evil in its influence both on children and on parents. In the next place, it is to be remembered that such restrictions have generated one another. If one founder provided for his own kindred or county, others did the same for their own. It may be presumed, therefore, that the feeling of founders who were thus animated would be materially changed, now that charities have so largely increased in number. Above all, in considering this question, we must keep in view the extraordinary change which has taken place in the state of the country. Increased facilities of communication, and the consequences which have followed from these, have deprived such restrictions of much of their significance. The place of a boy's birth, or the residence of his parents in some particular town or district, does not now imply any real connection with the locality. The meaning and purpose, therefore, of restrictions of area may be said, with truth, to have been taken away. Nor are there wanting indications, in many of the founders' deeds, of a willingness that they should be liberally construed in this respect. Thus, it is impossible to read Heriot's will without seeing that the educational interests of all Scotland were present to the mind of that enlightened founder. The force of these considerations is recognised by witnesses whose opinion is entitled to much respect. Dr. Playfair, Sir Alexander Grant, and Dr. Donaldson all express themselves as opposed to the maintenance of such restrictions.* Other witnesses, representing a somewhat different section of opinion, concur in the same view. Bailie Urquhart of Aberdeen thinks they should not be observed, as being 'contrary to the public advantage.'† Bailie Lewis, while he has 'great difficulty in divesting his mind of the idea of locality,' and, on the whole, inclines to maintain these restrictions, is yet 'free to say that, by reason of our postal system and our railway communication, those differences betwixt localities, and even betwixt the various parts of the kingdom, have to a great extent been abrogated.'‡

* Evidence, 3436, 3544, 3553-57, 2357-58.

† *Id.* 5138-39.

‡ *Id.* 3335.

If it can be shown that a locality is over-endowed—*i.e.* that Over-endowment of a locality. from the increase of the value of the endowment, or any other cause, the money available is out of proportion to the numbers and requirements of the population—few will dispute that a change is called for. Such a state of things is contrary to the true interests of society, and hence it is condemned by all the witnesses who speak with authority on the point; in the language of some, it ‘pauperizes’ the locality.

Now it is no doubt true that Edinburgh possesses endow- Edinburgh is over-endowed. ments in excess of her own requirements. Hence it has been already thought right to extend the operation of benefactions beyond the objects specified, and to different classes of society from those indicated, by the founders. This has been done in the Merchant Company’s Schools, in Donaldson’s and John Watson’s Hospitals, and, as some think, in the case of the Fettes College. Bailie Lewis would seem to approve of a similar course with regard to Heriot’s:

‘3324. You have told us that your idea of administering this charity would be to go lower down, as it were, than the founder intended?—Yes.

‘3325. And you justify that by instancing the manner in which other endowments, such as those of the Merchant Company, have been dealt with, and the change which has taken place in society?—Yes; in short, if we were to go up in the class that are to be benefited, we would require to go out of Edinburgh.’

It may be urged with force, that the same principle which If Class preferences are to be disregarded, Area may also be disregarded. justifies us in seeking objects for the founder’s bounty lower or higher in the social scale than he intended, would justify us in extending the benefaction to a wider locality. To enlarge the area of the application of a charity does not seem to be a wider departure from the wishes of the founder than to divert a charity from the class of society which the founder intended to benefit. It may fairly be argued to be less so. Differences between localities have been far more affected by lapse of time than distinctions between ranks in society.

Were Edinburgh, out of her abundance, to enable deserving Pupils to be attracted to Edinburgh. pupils from all parts of the country to share in the advantages of all her foundations, she would confer a boon on the nation worthy of the metropolis. Nor would she be herself without reward. She would benefit indirectly in the improvement of the national education; she would benefit directly, because she would so become a great educational centre, and would attract residents from all quarters desirous to profit by the high character which such a system could not fail to impart to the teaching in her schools. Nor, while the city would be thus benefited, would even the privileged classes really suffer. No doubt some local can-

didates might fail to obtain places on the foundation; but these classes on the whole would be gainers by the stimulus which a wider competition would apply.

Pupils to be
attracted to
Glasgow and
other centres.

The educational wealth of Edinburgh makes the argument for extension of area in her case strong. But Glasgow has more funds at her disposal for educational purposes than is commonly supposed; and Aberdeen, Dundee, and Stirling have endowments not inconsiderable. And with regard to all, the leading considerations against restrictions of area which we have mentioned above fully apply. That a relaxation of area restrictions would be a great boon to the country at large cannot be doubted; and the loss of privilege on the part of the localities at present favoured would bring with it no inconsiderable compensations. The youth of these localities, though they might sustain some disappointments at first, would gain in the long run; the habit of trusting to endowments would be replaced by an endeavour to deserve them. It is the tendency of all charities, in a greater or less degree, to deaden effort, and induce a feeling of dependence in those for whose behoof they are administered. When the area is small in comparison with the endowment, this evil tendency has full scope; and, in extreme cases, it may become, in the words of the Stirling Commissioners, 'one of the greatest injuries that can be inflicted on a community.' On the other hand, it is easy to see what effect such an organization as we have indicated would have on the education of the whole country. This convergence of the talent of the country into centres—which, as we shall afterwards show, the Universities would be able to maintain with regard to the higher education—could not fail to produce the most stimulating effect on the national intellect. And in any such system, as we have already said, the wealth of the foundations existing in Edinburgh would secure her an educational pre-eminence worthy of the metropolis.

Charitable
Benefactions.

Short of rejection of all claims of locality, there is an alternative which we consider deserving of consideration with regard to purely charitable benefactions. Where such charities are indiscriminate, and bear an undue proportion to the population of a district, their effects are most injurious, and it might be expedient that, with a view to a better application of the funds, such reduction should be made of the purely charitable portion as the circumstances of each benefaction may require.

Preferences to
Poverty.
Maintenance
as well as
Education.

Preferences to poverty may be most advantageously considered with special reference to the character of the endowment. When the leading purposes of the endowment are charitable in the proper sense of the word,—that is to say, for maintaining and clothing children, as in the case of Hospitals,—considerations not

applicable to other endowments may with propriety have weight. Unless the restrictions are very narrow, it can hardly be said that in such cases any positive injury results from the claims of the poorer classes of society being recognised. In these cases two principles should be observed: the recipients should be of the class intended to be benefited, and only the really meritorious should be chosen. If restrictions of area were freely dealt with, there are few charities in which both those principles might not receive full effect.

When the purposes of the endowment are purely or mainly educational, a distinction may be taken, with regard to preferences on the ground of poverty, between endowments for School and endowments for University education. Education only.

Of School endowments, some are applicable to Elementary education. Many of these could not be better applied than by enabling children of promise to obtain a complete Elementary education, which, without such aid, might, from the pressure of poverty, be beyond their reach. Endowments applicable to Secondary education, on the other hand, would be held at Secondary Schools; and in the case of these, preferences to poverty would be best respected by confining endowments in which such preferences were enjoined (in so far as consistent with the purposes of the Trust) to children educated at Public Schools. These principles will be more fully considered in the chapters on Elementary and on Secondary Education. University Endowments are treated of in a separate chapter. Elementary and Secondary Instruction.

It has been urged that, if the conditions of endowments are not strictly observed, benefactions will cease. We cannot share in this apprehension. While modifying, if necessary, conditions, we would be careful to preserve the distinctive character of each endowment. It would be matter of just reproach were endowments so thrown together that the names and memories of founders might fall into forgetfulness. But the knowledge that a charity will be wisely supervised, and adapted to changing conditions of society, cannot fail to encourage wise benefactors; and if it should operate as a restraint upon eccentricity and foolish vanity, so much the better. In the weighty words of the Oxford Commissioners of 1852: * 'There are many motives, some mean, some noble, which lead men to devote their wealth for ever to what they regard as a great and durable purpose. A wise benefactor would be only the more strongly induced to bestow his wealth for the public benefit if he had the assurance that his foundation would be so regulated from time to time by the wisdom of the State that it would never become, or at least not be suffered to continue, useless, or worse than useless, Objections to reform not well founded.

* Report, p. 160.

but that it would be made to promote his highest purposes for ever. The sight of charities abused, and secured in their abuses by being placed beyond any remedial power, would be much more likely to damp the ardour of a philanthropist than the sight of charities cautiously and wisely reformed.' And, in the same spirit, the Universities (Scotland) Commissioners of 1826-30 remark: * 'We are not disposed to think that such legislative provision (*i.e.* power to modify endowments) would deter any person from making bequests to the Universities; on the contrary, we are disposed to think that in many instances such donations will be made with much greater confidence as to their utility, if a power shall exist to regulate the application of such donations in the manner that may be most useful.'

* Report, p. 76.

V.—SCHOOL ENDOWMENTS.

(Endowments for Parochial (now Public) Schools, and Schools chiefly for Elementary Instruction.—Gratuitous Instruction.)

THE Hospitals, as already stated, possess nearly one-half of the whole Endowments of Scotland. Next to them in value are the School Endowments, which we have divided into Endowments for Parochial (now Public) Schools, and other schools in which Elementary instruction is *chiefly* given, and Endowments for Burgh and Grammar (now Public) Schools, and other schools in which Higher instruction is *chiefly* given. This division has been attended with difficulty. In Scotland the old Parochial Schools, aided by bequests, have provided Elementary and, to a considerable extent also, Higher instruction, and the Burgh and Grammar Schools have provided Elementary in addition to Higher instruction; and this peculiarity of the Scottish Schools cannot be supposed to have been omitted from the consideration of persons bequeathing money in connection with them. To some extent, therefore, the Endowments treated of in this chapter, though mainly left for Elementary instruction, must be regarded as partly left for Higher instruction, some of them even in express words; and in like manner, those treated of in the subsequent chapter, though mainly left for Higher, may be regarded as partly left for Elementary instruction. In these circumstances it is obviously a matter of extreme difficulty to apportion, even approximately, the amounts specially applicable to either branch of education; but perhaps, if we assign rather less than two-thirds of the total to Elementary, and rather more than one-third to Higher education, we shall not be far from the truth.

The various purposes to which these School Endowments are applied appear from the following summary. Full details will be found in the Appendix, Vol. I. :—

1. Endowed Schools chiefly for Elementary Instruction,	£21,583	3	3*
2. Addition to Salaries of Teachers, chiefly in Parochial Schools,	4,556	19	5
Carry forward,	£26,140	2	8

* Of which, in the four principal towns, £11,726, 6s. 7d., exclusive of the Heriot Free Schools in Edinburgh.

Brought forward,	£26,140	2	8
3. Payment of Fees for Poor Children in Parochial and other Schools, .	4,738	3	2
4. School Bursaries and Prizes, partly for Higher Instruction,	3,864	4	3
5. Educational purposes generally, such as Maintenance of Building, Pur- chase of Books, Apparatus, etc., .	1,436	3	7
	£36,178	13	8
6. Not yet in operation, partly for Ele- mentary, partly for Higher In- struction,	6,800	2	6
7. Endowed Schools chiefly for Higher Instruction (treated of in the subse- quent chapter),	16,550	10	4
Total,	£59,529	6	6

In this table, the schools under the first head (Endowed Schools, chiefly Elementary) are constituted by special bequest, and are not included among the Parochial (now Public) Schools. They are distinguished in the tables in the Appendix by an asterisk. Such of them as are in rural districts were placed there to supplement the old statutory system. The small Endowments under heads 2 and 3 are mainly in connection with the Parochial (now Public) Schools; and in the case of the great majority, the revenue is now payable to the School Board of the parish, under Section 46 of the Education (Scotland) Act, 1872. The Endowments under heads 4 and 5 are partly for Elementary and partly for Higher instruction, and, to some extent, they also come under the operation of Section 46 of the Education Act. The Endowments under head 6 are mixed, but the larger proportion of them may be held to have been left for Elementary Schools; and those under head 7 are in the main, perhaps to the extent of 75 per cent., for Higher instruction.

Difficulty of
separating
them from those
intended for
Secondary
Education.

The most important of the Endowed Elementary Schools are those in Edinburgh on the Heriot Foundation, and those in Glasgow. The latter we considered to be of so much importance as to demand special investigation by our Assistant Commissioner. In Glasgow, if we add bequests not yet in operation, £13,784, 5s. 0d. per annum is available for Elementary education, exclusive of the Hutcheson Foundation.

Gratuitous
Education,
chiefly in con-
nection with

It is in connection with schools of this class that the question of the effect of gratuitous instruction is brought most prominently before us, although it also presents itself in connection with those

Higher Schools which have an Elementary department, such as the Madras College, St. Andrews, and Dollar Academy.

Elementary
Schools.

By many of these endowments provision is made for the partial maintenance or clothing, or for the advancement in life, as well as education, of young persons. A still greater number are clogged with restrictions confining the benefits to certain classes,—as the freemen or burgesses of towns,—or giving a preference to certain names or to the relations of the founders.

Combined with
other charit-
able objects, or
with restric-
tions.

In this class of educational charities there is generally a condition that they are for the benefit of the inhabitants of certain towns, parishes, and, in some instances, of counties or larger divisions; and these restrictions are also accompanied by the direct or implied condition of poverty. There are, however, some impor-

For the benefit
of certain
localities.

tant exceptions to this last condition. The funds of the Endowed School at Fochabers were, under the terms of the trust, 'to be employed in establishing a free school for the use of the parishes of Bellie and Ordifish;' and in the case of Closeburn School or Wallace Hall Academy, the object of the foundation was 'to teach the whole children of the united parishes of Closeburn and Dalgarno, and that gratis and without fee or reward.' But the great majority are charitable bequests to meet the inability of parents to pay for the expenses of education. In some instances the intention of the founder is expressed in somewhat vague terms,—as in the case of Dollar, where the large sum of £90,000 was bequeathed for a 'charity or school for the poor of the parish of Dollar and shire of Clackmannan.' Under the large discretion left with the trustees, a school was established, and the children of parishioners whose income is under £50 per annum are admitted gratis; the surplus being employed, under legal advice, to which we shall afterwards refer, in establishing a seminary for Secondary education.

Exceptions.

The condition of poverty, from its nature, admits of a variety of interpretations, according to the kind of education which the founder had in view. A poor scholar may belong to the humblest class, or to poor or decayed parents of higher condition. But a great proportion of the benefactions we are now considering are not liable to the reproach of vagueness. The nature of the poverty it is proposed to relieve is generally specified, as in the case of orphans, or the children of those who have fallen into distress, or who are unable to pay for the support or education of their children. Indeed, in many cases the amount of the endowment sufficiently indicates the kind of poverty it is proposed to relieve and the education to be provided, as in the case of small allowances for the payment of fees at Parochial Schools.

Claims of
Poverty.

Some of these foundations are of considerable amount, as in

Examples of
foundations.
Glasgow.

the important group connected with the city of Glasgow. In the case of the Philp Bequest, Fife, the fund was originally destined for a limited number of children who, 'from the poverty of their parents or guardians, are the most likely to be deprived of that blessing' of education, under strict injunction that 'none who are in circumstances to enable them to procure education for their children shall be admitted to the benefit' of the foundation; but, owing to the increase of the funds beyond what appears to have entered into the contemplation of the founder, it has become the means of supplying free education to a large proportion of the population of the district, including many not of the class which it was intended to benefit.

Edinburgh.*

The Heriot Foundation Schools in Edinburgh constitute a class by themselves, as dependent on an Act of Parliament. By the statute of 1836, the trustees of the Hospital were empowered to apply the surplus funds in erecting schools for the children of deceased burgesses and freemen of Edinburgh in poor circumstances, or for poor citizens or inhabitants of Edinburgh when there are not sufficient applications from the former.

Altered state
of public
opinion on the
subject of Gra-
tuitous Educa-
tion.

It may be observed generally with regard to this class of foundation, and the remark applies more particularly to those connected with the country districts, that at the time when many of these bequests took effect, free education was a great boon. The large number of foundations for the payment of fees in Parochial Schools is sufficient proof of this. With the change of circumstances in the condition of the working classes, an altered state of public opinion has arisen, and the numbers who are under an inability to pay are very much reduced.

When indis-
criminate it is
pernicious.

We are not prepared to apply any general principle which would put an end entirely to free education. There are many above those who seek parochial relief who find great difficulty in defraying the cost of their children's education; and we think that charitable endowments for the payment of fees may be employed to a moderate extent in aiding such persons. At the same time, we are strongly of opinion that, wherever such aid is *indiscriminately* given, it is pernicious in its effects. And this must always be the case where the number to be benefited bears an undue proportion to the population of the district benefited by the endowment; and it is chiefly against this class of cases that the evidence before us is directed. Those who administer such funds should be required to exercise effective discrimination.

Case of the
Heriot Founda-
tion Schools.

It has been stated that we have in the Heriot Free Schools, Edinburgh, an example of free education on a large scale which is not attended with the evils which usually flow from gratuitous

instruction—at least, so far as regularity of attendance on the part of the children is concerned, and a proper appreciation of their privilege on the part of the parents. But it has to be borne in mind that these schools enjoy the reputation of being the most efficient elementary schools in the city, and that the pressure for admission on this ground alone is consequently great. Taking advantage of the privilege which they have to bestow, the Governors reserve the right of dismissing pupils who are irregular or inattentive. It can be readily understood, that where the schools are good, this check on the evils of a gratuitous system will be adequate. We do not think that this favourable case should alter the opinion to which we have been led by the evidence laid before us. The evidence given before our Commission confirms, in our opinion, the conclusion at which the Education (Scotland) Commission, 1864, arrived as to the injurious tendency of such education when it is indiscriminate, and as to the expediency of requiring fees to be taken as a rule in all endowed or charity schools in the country. The subject is discussed fully in their General Report * on economical as well as moral grounds. They urge strongly the inexpediency of sacrificing this source of revenue by conferring the benefits of free education on large numbers who are quite able to pay a moderate fee, and thus limiting the benefit which such institutions would otherwise confer. But the system is more emphatically condemned as lowering the tone in schools where the practice prevails, and leading, as a general rule, to irregularity of attendance on the part of the children. They conclude their remarks with the recommendation that a power should be entrusted to the Board of Education, which they proposed to establish, to direct school fees to be exacted in all endowed and charity schools in the country. Public opinion has expressed itself so strongly in support of these views, that in the case of some of the most important applications which were made to the Home Secretary for Provisional Orders—by the Edinburgh Merchant Company, by the trustees of Heriot's Hospital, Hutcheson's Hospital, and Bathgate Academy—under the Endowed Institutions (Scotland) Act, power is asked to take fees, on the express ground of the growing feeling throughout Scotland against gratuitous instruction, except in cases of unavoidable misfortune, as diminishing the independence of the recipients.

The trustees of Hutcheson's Hospital, in their petition, ask for a discretionary power in the following terms:—‘As respects affording gratuitous education, the patrons consider that while this may have an injurious tendency in diminishing the self-

Views of the
Education
Commission
of 1864.

Opinions of
Trustees of
Hutcheson's
Hospital.

respect and independence of recipients who may or should be able to pay for the education of their children, there are many persons (especially widows) by whom the payment of fees would be seriously felt; and accordingly the patrons desire to have discretionary power to charge or not such fees as they may consider reasonable, according to the circumstances of the parents or guardians of the children. Even a moderate fee from children whose parents are able to pay will enable the patrons to extend the usefulness of the Institution.' In the case of Bathgate Academy, and in the Merchant Company's Schools, the trustees, in their Provisional Order, got power to exact fees.

Examples of
success in tak-
ing fees in
Schools pre-
viously Gra-
tuitous.

In the views to which we have referred we concur; and we believe them to be prevalent among the labouring classes as well as among those of higher education. Remarkable instances were brought before us of successful experiments in taking fees in schools where the teaching had been previously gratuitous, resulting in increased attendance on the part of scholars. Thus, Mr. Boyd * informs us that when the Governors of Gillespie's School—a charitable foundation in Edinburgh—decided upon charging a small fee, the effect was to increase the number who attended the school.

We would refer also to the evidence given by the Rev. Dr. Cochrane, one of the trustees of the Cupar Academy, describing the success which attended the establishment of the Kirkgate School in the same town:—

'I may mention that the Kirkgate School was set agoing originally by myself, and was intended to replace a school which was very offensive to me, viz. what was called the Charity School. I thought there was no need for a charity school. There were private means by which individuals could be supplied with education who needed it, independently of bearing that name, and the principle of the school I helped to establish was, that they should pay a little, however little. To show how it worked, I may state that previously our kirk-session had educated about 90 scholars gratuitously every year, but after that school was opened the number sank from 90 to 20, showing that the great mass of the people wished rather to pay a little than not to pay at all. Accordingly, that school really raised a feeling of independence on the part of the parents which did not exist before, and I would be very sorry indeed to see the funds of the academy wasted upon encouraging gratuitous education.' †

The answer of the Rev. Dr. Gray, ‡ one of the trustees of Heriot's Hospital, points out the inconvenience which arises to families from the existence of privileged schools in the same locality with other fee-paying schools.

Opinions
adverse to
Gratuitous
Instruction. *

On the injurious tendency of gratuitous instruction, we also refer to the remarks of the masters of the Madras College, St. Andrews, in their reply to our circular, and of the trustees of the

* Evidence, 404.

† *Ib.* 6238-6242.

‡ *Ib.* 2559.

same institution,* and to the evidence of two members of the same trust given before us;† to the evidence of Dr. Cumming and of Mr. Jolly, two of Her Majesty's Inspectors of Schools;‡ also, with reference to the Heriot Foundation Schools, to the evidence of Dr. Bedford and of Bailie Tawse.§ It is to be observed that the latter places the question entirely on moral grounds: 'I am in favour of taking fees, but not with the main object of providing additional revenue; but when the parents of children are able to pay for education, it is good for the children and the parents that they should pay a certain sum.' We desire to draw attention to this answer, because a difference of opinion exists among the trustees of this great institution on the subject. The views of the minority who dissented from the proposal to apply for powers to take fees were represented before our Commission by Bailie Lewis,¶ who contends that there are few of the working classes to whom the payment of fees, when there are several members in a family, would not be an onerous burden. The claims of the working classes of Edinburgh to the free education provided by the Heriot Foundation Schools were further pressed upon us by a deputation from the Edinburgh Trades Council.** It was affirmed by them that the Act of 1836 was intended to benefit the poorest of the lower or working classes, while they disavowed any desire on their own part to send their children to the schools, except when they felt the pinch of poverty, and were unable to educate their children properly. They also considered that the levying of fees in these schools was contrary to the will of George Heriot, and that the fees would not compensate for the bad feeling that would exist in a school composed of paying and non-paying pupils. We cannot concur in the opinion that to take fees from some of the pupils in these schools would be contrary to Heriot's will; and we believe that the apprehension of bad feeling arising between paying and non-paying pupils is altogether illusory. Our conclusion is, that the evidence of the injurious tendency of gratuitous education, when applied indiscriminately to large numbers of the working classes, coming, as the statements do, from those who are engaged in the practical work of education, and who have seen its operation, largely outweighs the opposite opinion on this subject. This opinion is strongly supported by the statements of the Assistant Commissioners to the Education (Scotland) Commission, 1864;†† and in reference to this matter we would point out a fact of no small importance in connection with the financial welfare of these schools. The collection of fees constitutes a claim for Parlia-

Opposing
views on the
same subject.

Advantages to
be gained by
Schools from
the changes.

* Second Report, pp. 587-8.

§ *Ib.* 615, 2962.

†† Special Reports, p. 15.

† Evidence, 5964.

¶ *Ib.* 3168-3172.

‡ *Ib.* 275, 276, 3658.

** *Ib.* 6807, 6881.

mentary grant of an amount at least equal to the sum of the fees collected. To this extent the school fund is relieved, and, in consideration of the grant, the schools enjoy the benefit of inspection. This additional source of income would enable the trustees to extend the benefits of the foundation, by putting higher instruction within reach of the more promising pupils, by giving it gratuitously as a reward, or by lowering the fees. Referring to this subject, the Education (Scotland) Commissioners say:—*

‘If an adequate number of good schools, with moderate fees, were established in large towns, the parents of the poorer sort would take advantage of them, and thus secure a better education for their children. In towns, therefore, the want of an adequate number of efficient schools, where moderate fees are charged, is one of the evils which requires a remedy. It may be that there is at present accommodation enough in schools furnishing a gratuitous education; but very many are unwilling to accept eleemosynary aid who would take advantage of schools where reasonable fees were charged.’

Free Schools
may extend
their sphere
of usefulness.

We do not doubt that the Education (Scotland) Act, 1872, will do much to give practical effect to this suggestion, and that the rates to be levied, aided by the Parliamentary grants, will reduce the cost of education in our large towns. The free schools already existing might aid in this work by admitting children at moderate fees, and thereby extend their usefulness. It seems clear that, if Endowed or Charity schools are to take a part in the public teaching of the country, they should be placed on the same footing with other Elementary schools, and be open to children whose parents can afford to pay a moderate fee; and further, that the claims for free teaching should be strictly limited, according to the intention of the founders, to cases of merit or of unavoidable misfortune.

The public
provision for
Elementary
Education has
superseded
many of these
Schools.

In making this recommendation, we do not lose sight of the fact that many foundations for free Elementary education are supplying the whole wants of the localities in which they are placed, and occupy ground which would otherwise be filled by schools under the recent statute; and it may be reasonably contended that a state of things has arisen which did not enter into the views of the founders, who acted at a time when a very scanty, and, in some parts of the country, no public provision was made for the education of the people, and that the State has a right, now that there is statutory provision for the whole country, to revise the application of these endowments, with a view to meet the more pressing educational wants of the day. It has been urged upon us by certain witnesses, that it would be no departure from the intention of the original founders, now that a public provision exists for Elementary instruction, were

* Third Report, p. 22.

these funds wholly applied to higher education, and that this principle should be applied without reserve to all Elementary endowments.

Such an application of bequests of this kind has to some extent received the sanction of law in the case of endowments held in trust by School Boards for Parochial or Burgh Schools, and authority is given by section 46 of the Education (Scotland) Act, 1872, to apply such funds, with the consent of the Board of Education, to increase the efficiency of the Schools by raising the standard of instruction or otherwise. We are of opinion that what is now only permissive should be made imperative in all parishes in which the education rate does not exceed 3d. per pound on the annual value of the assessable rental. There are educational endowments also, unconnected with the Public Schools, which might in many cases be advantageously devoted to the Higher instruction of the districts to which they belong; but looking to the extent and variety of all the endowments which are more or less applicable to Elementary education, we cannot recommend so great an interference with existing arrangements as to insist on the universal application of funds left for Elementary to the purposes of Higher instruction.

While we hesitate to recommend any compulsory measures further than those referred to above, having in view the application of Elementary School endowments to Higher instruction, we are of opinion that in all cases where an endowed school occupies ground which would otherwise be supplied by a public school under the Education Act, the community have a right to exercise as much supervision as may afford security for the efficiency of the schools. That some such supervision is urgently called for may be presumed from the facts which came under the notice of the Education (Scotland) Commission, 1864. The Report of the Assistant Commissioners to that Commission on the state of Education in the Country Districts of Scotland contains the following remarks bearing on our inquiry:—*

‘There are throughout the country a great many small endowments or bequests which go to augment the school income derived from other sources; but as these do not exercise any particular influence upon the general character of the school which is fortunate enough to enjoy them, we have taken little notice of them. Sometimes they are given to the teacher without any equivalent on his side; sometimes they are specially allotted to the teaching of so many poor children, and left in the hands of the minister and kirk-session for that purpose; sometimes for the clothing and teaching of the children; sometimes for the payment of half the fees of a proportion of the children.

‘These endowments vary from £1 or £2 to £10 or £15, and are met

* Report on the State of Education in the Country District of Scotland, p. 94.

This is recognised by sec. 46 of the Education Act.

Some public supervision of these Schools is urgently called for.

Views of the Assistant Commissioners of 1864 on this subject.

with in most counties ; but as the character of the schools is not affected by them, it is unnecessary to do more than allude to their existence. There are, again, in Ayrshire, Kirkcudbright, and Lanark, in our selected counties, the Ferguson Bequest, in Aberdeen the Milne Bequest, and in that county and in Banff and Moray the Dick Bequest, which, especially the latter, do materially affect the character of the schools. We have already mentioned the Milne, and shall have something to say about the other two further on in the Report. At present we have only fourteen schools to mention. These were in the counties of Aberdeen, Dumfries, Berwick, Kirkcudbright, Nairn, Perth, and Stirling.

‘Three of these schools are free, and the children are taught gratuitously at them. These three schools were all examined, and none of them were satisfactory. In two the children appeared to learn little or nothing. Four only of the endowed schools were under Government inspection. These schools drew from their endowments £110, 16s. 7d. in all, and from the Privy Council £103, 3s. 4d. The three that were examined were satisfactory.

‘The funds from which the endowments are paid are generally vested in the minister and kirk-session of the parish, or in two or more ministers and others in neighbouring parishes ; and with them, as trustees, the appointment generally rests. Their appointments are not always successful. In one school the truster vested the money from which the endowment was to be paid in the ministers and kirk-session of the Established Church of the parish, but the first election was so bad that he altered his will before his death, and provided expressly that the minister and kirk-session should have no control over the school, but the appointment of the teacher and the management of the school should be in the hands of all the householders in the village. This was before the Disruption. Practically the management now devolves upon two United Presbyterian and one Free Church minister, who appear to work harmoniously. The present teacher is certificated, and the school was satisfactory. When the electing body appoint a certificated teacher, and when the school is inspected by Government, these endowed schools are not less efficient than the average parochial or Free Church schools ; but when the school is not inspected, the endowments are liable to great abuse. The tenure is generally *ad vitam aut culpam*, sometimes *ad vitam* only, so that the teacher knows that once he is appointed he may do exactly as much or as little as he pleases. He has got a sinecure, out of which he cannot be removed. The trustees can do no harm to him. The presbytery are powerless. If the school is free, he is independent of fees, and does not care whether he has pupils or not ; the fewer the better for him. He may be unpopular in the parish, and looked upon by all his neighbours as worthless, unconscientious, and hardly honest, but he does not care for the small parochial opinion. Public opinion cannot penetrate into the remote districts, and if he be a plausible man, he may secure the goodwill of one or two of the leading heritors, and feel himself independent of the dislike or disapproval of the working people whose children he ought to educate. Some of the local endowments in the country are abused in this way, and there seems to be no remedy for such cases. If inspection could be made imperative in these schools, even if the salary was not affected by it, something could be done. No teacher, however demoralized he might be by idleness, would like to see his school disgraced before the official inspection. And this is one reason against the system of refusing Privy Council grants to endowed schools. The annual visit of the inspector would be a good check upon the open abuse of endowments.’

Since the above remarks were written, the Education (Scotland) Act, 1872, has imposed on School Boards the duty of taking into consideration 'the extent and quality' of the existing provision for supplying the educational requirements of each parish or burgh. These duties will no doubt be conscientiously discharged, and gross and glaring cases of deficiency in the existing means will not be overlooked. School Boards cannot, however, be expected to meet cases such as are referred to in the above extract from the Report of the Assistant Commissioners, nor do they afford security that such schools will maintain their proper place in the educational system of the country. The inquiry into the Educational Endowments of Scotland as well as England has afforded evidence of the dangers to which such trusts are liable; and when any relaxation of vigilance on the part of the trustees entails serious injury to the community, it seems fitting that security should be taken by a public inspection against the schools under their charge falling below the standard of other public and inspected schools in the same neighbourhood. The recommendation which we have made elsewhere, that in all free schools fees should be charged from those who can pay them, and Parliamentary grants sought for, would secure, if universally adopted, the supervision which we think necessary. We are also of opinion that an attempt should be made to provide, at the expense of the endowment of these schools, an advanced kind of Elementary instruction for the pupils at a very moderate cost, so as to secure prolonged attendance at school. The fees which under these recommendations will be henceforth charged, and the contribution to be made to the school fund from Parliamentary grants, furnish the means of carrying out this suggestion.

We would also point out that, apart from making provision for the higher branches, there are many objects beyond the scope of ordinary current expenditure to which such funds might be well applied, with a view to give the highest efficiency to Elementary teaching. Some valuable suggestions to that effect are offered by the Endowed Schools Commissioners for England in a paper appended to their Report. It is there proposed to empower the governors to apply the income of their endowment to exhibitions for meritorious scholars; to providing a lending library or more expensive apparatus than could be afforded without the aid of the endowment; to giving evening lectures or classes; or to aiding the games and exercises of the scholars. This recommendation has received the sanction of Parliament in many of the schemes submitted by the English Commission. The first of

The necessity of some public inspection.

Suggestions as to objects to which available funds may be applied.

these purposes, *i.e.* the establishment of exhibitions or bursaries to be held at the Public Schools, we think of especial importance, and a most beneficial application of the endowments we are now dealing with. These exhibitions should be given so as to enable children of promise to remain longer at school than might otherwise be in their power, and thus obtain a complete Elementary education. Such an application of these endowments would be in strict accordance with the purposes to which they were destined, and would be a real benefit to the deserving poor. Considering that these exhibitions would be held by the very young, it would not, perhaps, be expedient that they should be awarded solely by competitive examination. But School Boards might safely be trusted to ascertain the promise which alone should give a claim to them, partly by examination, partly by reports from teachers, and other similar sources of information.

Provision of
Sec. 46 of
Education
(Scotland) Act
may be ex-
tended.

In brief, we would recommend generally that facilities should be given to trustees of endowments not falling under Sec. 46 of the Act, to depart from the strict letter of the trust in favour of higher education when the circumstances of the locality justify such application.

The measures here proposed will have to be supplemented in many cases by a revision of trusts, but we defer any remarks on this subject till the conclusion of this review of the different classes of educational foundations.

These Schools
ought, in many
cases, to be
amalgamated
with Public
Schools.

We are of opinion that advantage would in many cases arise from the amalgamation of trusts with each other or with the School Board of the parish or burgh in which such trusts exist. The same reason which led Parliament to give facilities for the transference of existing schools supported by contributions or donations, should apply to all schools supported by endowments. It might assist the amalgamation were trustees empowered not only to divest themselves of trusts altogether, but to enter upon terms of union, by which the trust might be constituted under joint management.

Endowments]
of Glasgow.

In the preceding remarks we have had specially in view the Educational Endowments of Glasgow, which comprise the largest group of Free or Charity Schools in Scotland. They attracted the attention of the Assistant Commissioners to the Education (Scotland) Commission, 1864, and are treated of in their Report generally under the head of Charity and Endowed Schools. In the latter class are comprised schools in which fees are charged, the endowment being applied in aid of the salary of the master. To this class of endowment also belongs the Bell Fund, which is distributed in equal sums among certain sessional schools of

Glasgow. In our chapter on General Bequests, some remarks will be found which seem applicable to all endowments of this nature. We are of opinion that they should be distributed with discrimination, and under conditions such as those which regulate the Dick Bequest.

The bulk of the Glasgow endowments are included in the class of Charity or Free Schools. The revenue applied to these is estimated by us at £13,784, 15s., independently of the Hutcheson's Hospital Schools; and there are, in addition, some important endowments which have not yet come into operation.

The Assistant Commissioners to the Education (Scotland) Commission, 1864, made some discriminating remarks on the different schools which came under their review. We invite attention to them, because they influenced us in pressing for a more full investigation as to the practical working of these charities:—*

‘In the best of these schools the education is as good as in the sessional schools. Their funds allow the employment of an adequate staff of well-trained teachers. The accommodation of all may be described as good. Those of them, however, where only one teacher has the whole charge are not nearly so efficient as sessional schools. The class of children at the charity schools is certainly not the poorest and most destitute. They are mostly the children of respectable labouring people. On the whole, however, the managers carry out the intentions of their founders, and those who enjoy the benefit of them are generally in such circumstances that the free education of one or more of their children is a great boon and relief.’

Chiefly
charitable.

Views of As-
sistant Com-
missioners to
the Education
Commission o
1864.

‘Nor could we discover that the accepting of such aid had the bad effect that some persons might expect to find. The relations between the teachers and the children seemed to us quite as cordial as in ordinary schools. In not a few cases, where we made inquiries, we found that the parents looked on the schools much in the same light as persons in the upper and middle classes regard those endowed schools in England where a free, or partially free, education is given. The bequests had been made, they said in substance, especially for their behoof, and were neither more nor less than legacies which they were entitled to enjoy. On the other hand, the private adventure schools, the mission schools, and some of the sessional schools, complained that the charities injured them, and that many persons quite able to pay school-fees took advantage of them. In one or two cases, also, the teachers in the charity schools expressed their belief that the want of wholesome competition took away a powerful motive from them in their work. In two things there was a general agreement on all hands, that the children were more regular in attendance, and stayed longer at school, in charity, than in any but the very best and most fortunately-situated of the sessional schools.’

The doubts which are here indicated, whether those children who derive benefit from these schools are exactly the class whom the founders had in view, are more pointedly expressed in the case of Alexander's Charity, one of the largest and best of these schools. Referring to the selection of candidates, the Assistant Commissioners

Illustrated in
the case of
Alexander's
Charity.

* Report on the State of Education in Glasgow, p. 91.

observe :* 'The governors have not as yet had to go beyond the bounds of the three parishes, nor in the parishes themselves have they gone to the very lowest and most necessitous classes. The head-master, if he has a choice of candidates, naturally prefers those who present the most respectable appearance. The City Arabs, as they are called, will not readily get any of the directors or missionaries to back their application. The Roman Catholics are practically excluded, though not by special enactment, and their priests make no effort to have children of their faith admitted.' A list is appended of the occupations and wages of the parents of twenty of the children, as fairly representing the classes that take advantage of the school; and it is added, 'while not the poorest, the parents, it will be seen, are mostly in such circumstances that free education for one or more of their children is a great boon. Nor, indeed, were we surprised that many people able to pay the school pence, though it might be with an effort, should get their children into this and other free schools. Were it nothing else, a regard to their children's health would attract parents to them, in preference to schools whose accommodation is bad, and whose arrangements are uncomfortable. Whatever the reason, this and other free schools like it are appreciated by a class not of the poorest sort; and no one apparently, teacher or taught, parent or manager, feels it wrong to accept or offer a free education. Those who do object are the private adventure and mission schools on the one hand, and some of the sessional schools on the other.'

Reasons for
further inquiry.

It seemed to us that the subject called for a more searching inquiry. These endowments comprise the largest group of Charity Schools in the country, and are managed under circumstances which apparently give the best security for efficiency. Three of them are under the exclusive management of the city Corporation, and in the greater number the management is shared between members of the Town Council, the city Clergy, and other trustees. The oral evidence taken by us had reference to two only of these institutions; and we found the greatest difficulty in testing by evidence the soundness of the administration or the actual work done. Under the circumstances, we applied to the Treasury, and obtained official sanction for the employment of an Assistant Commissioner. He was instructed by us to direct his inquiries to the practical administration of these several institutions, and to the application of the funds generally. His attention was, among other points, specially directed to the influence of gratuitous instruction on the teachers, the scholars, and the institutions themselves.

* Report on the State of Education in Glasgow, p. 15.

He was also instructed to consider the effect on the parents and the public, and to note the method of selection of free scholars.

A careful and exhaustive inquiry by Mr. Meiklejohn into the class of children taking advantage of gratuitous instruction shows that the working of these institutions is not even so good as had been previously supposed. He says:—*

Results of Mr.
Meiklejohn's
inquiry.

‘The gentlemen who act as patrons or trustees of the mortifications and endowments of Glasgow give a large amount of time and trouble to discovering the right and deserving objects for the reception of the advantages offered by these endowments. But they have very little spare time at their disposal; the same gentlemen cannot always attend the meetings for selection; and it is not always possible to find out all the circumstances of each case. It happens, therefore, with considerable frequency, that persons find their way into these free schools who could well afford to pay from 1d. a week as a minimum up to 1s. as a maximum.

‘Your instructions required me to ascertain the effect of free education upon both parents and children; and I had therefore to think out the best means of discovering whether this free education was actually given to those who had the greatest need of it. Time would have failed me had I attempted to visit the homes of the children—as I once thought of doing; and catechizing all the children in a large school would hardly have given uniformly trustworthy results. It struck me that the best plan would be to put a set of questions to each child in the highest classes in certain schools, and thus to sink a shaft into the different strata here and there. I therefore drew up a set of questions, which I put generally in the same order, and, I think, with results which are highly instructive. . . .

‘From inquiries made of children, teachers, trustees, and the clergy, I am compelled to the conclusion that free schools, when existing side by side with paying schools, are permanent sources of demoralization to parents of the lower and lower-middle classes. In two or three instances—but not more in Glasgow—this demoralization acts by the leverage of excellent instruction, as parents are willing to accept for nothing what they could easily pay for, but what, indeed, they cannot find in their own neighbourhood—to wit, sound instruction, conducted on good methods, and producing habits of careful thought and the strictest accuracy. But in the large majority of cases the instruction given in free schools is worth just what has been paid for it by the parents.

‘From all I have seen in all of the endowed schools of Glasgow, I should say that the following was an estimate kept carefully under the mark:—

50 per cent. could pay at least 2d. per week.

30 per cent. ,, ,, 4d. to 6d. ,,

‘I. NUMBER.—There are in Glasgow 27 schools with endowments. Of these, I have thoroughly examined 14, 9 have not begun operations, and 4 are under Her Majesty’s inspection. Two endowments—Dr. Bell’s and Mrs. Graham’s—send their *protégés* to inspected schools.

‘II. QUALITY.—Of the 13 endowed elementary schools in operation, the scholars of which have in most cases been individually examined, I find—

Efficient	.	.	.	.	.	.	.	.	.	.	.	.	4
Inefficient	.	.	.	.	.	.	.	.	.	.	.	.	2
Inefficient to the extent of being a gross waste of money													7

* Appendix, Vol. I.

‘The efficient are Hutcheson’s School, Alexander’s, Glen’s, and M’Lachlan’s. Hutcheson’s Hospital School is a very good primary school, with a strong germ of the secondary in it; Alexander’s is an excellent primary school, with aspirations on the part of the master towards secondary work; and Glen’s is a good primary school, with a weak attempt towards giving secondary instruction.

‘The two which are inefficient are so mainly because the master has imposed upon him the task of carrying on, without assistance, the work of five or six divisions at once, and because he has no goal—such as that given by Government inspection—to work up to.

‘The seven which are inefficient to the extent of wasting money show every kind of weakness; but the substance of all charges against them is, that they actually *prevent* children going to schools where they might be educated, and, by wasting the best years of the children, deprive them of their only chance of getting an education. In several of these schools children leave without being able to work the four simple rules of arithmetic; and in one, which has a high reputation, most of the boys leave school unable to count in money, and in some cases even to read. They have formed no mental habits, except some bad ones; they have learned the use of no tools to cut their way through life with.

‘Not only do these endowed schools not give the children anything which can be called education, but they operate to the lowering of the position and work of the teacher in Scotland. They have no communication with other schools whatever. So soon as a teacher obtains a place in one of these endowed schools, he tends to sink; he begins to live on his past capital of knowledge and skill; he works on the rudest or no method; and he has no goal to work towards, and no trustworthy test to enable him and others to value his work. Endowment, therefore, as at present practised, is a heavy and steadily-exerted discouragement to education proper. The teacher seats himself in a kind of educational prison, where the free air of public opinion never reaches him, and goes on his daily round believing that he is doing very fair work, and never hearing of or seeing anything better or even different.

‘III. LOCALITY.—It is a point worth noting that seven of these charity schools stand within from three to five minutes’ walk of each other, most of them in or in the neighbourhood of Montrose Street. This arises from the fact that there was in that locality a steep and almost waste piece of ground, feus of which were sold cheap. To this locality children come, for the “benefit” of a free education, from all parts of the town, some over three miles, some very young girls more than two miles. While, therefore, many parts of Glasgow are almost destitute of schools, there is a crowd of them in this one spot, where they are not wanted. The name and fame of the founder would be much better consulted by having these schools removed to other quarters of the city.’

Conclusions as
to the evils of
Gratuitous
Education.

These statements do not conflict in any material degree with the results of the former inquiry; but they bring out more strongly the danger which belongs to a system of gratuitous instruction, applied with very little discrimination to large classes, and without the stimulus or check of public inspection. We have been strongly impressed with the necessity of some better organization of all these charities; and we are of opinion that, as a first step towards this, the payment of fees should become the rule, power of making exceptions in favour of necessitous cases being reserved. We are

also of opinion that some inducement should be held out to promising children for prolonged or higher instruction; and that all these schools should be brought under Government inspection.

We consider that great advantage would arise from the consolidation of certain of these trusts; and for this the constitution of many of them appears to us to offer facilities. The greater number are drawn up in general terms in favour of the poor, and are fettered by very few restrictions, except of names, the disregard of which we have in a previous chapter recommended. In one case, that of the Logan and Johnstone School, there is a preference to orphans, with which we do not desire to interfere. In carrying out the testators' wishes, the trustees have evidently been guided by motives which are common in similar institutions, viz. the desire to avoid the troublesome classes, and keep up the respectability of the schools. In three only of these institutions has the founder sought to benefit a class above those who earn their livelihood by manual labour. Glen's School was founded in favour of the sons of tradesmen, or persons in the industrial classes of society, with a view to prepare them for trades or businesses. Any surplus was to be applied to the foundation of an industrial school, 'for the purpose of educating the unfortunate and destitute children wandering about the streets;' but this part of the original constitution of the trust has never been acted upon. In the case of Millar's Charity, the foundation of which dates as far back as 1787, the trustees were empowered 'to form two distinct classes of girls, one of a superior and one of an inferior rank, provided always the latter be at least double the number of the former.' From the report of our Assistant Commissioner, it does not appear that an attempt is made to carry out the views of the founder in this respect. Hutcheson's Hospital Schools are also meant for children of persons connected with trade; but this foundation will be considered when we come to deal with Bequests partly Charitable and partly Educational.

Buchanan's Institution stands alone among the charities of Glasgow as a bold attempt to meet the case of the lowest class in society. The trust is drawn up in general terms, 'for the purpose of carrying into active operation an industrial institution in the city of Glasgow for the maintenance and instruction of destitute children.' The institution was to be conducted on the social principle, as distinguished from the hospital system; the pupils to be allowed to reside with their friends; and those who have no one to take care of them were to be provided for within the house or otherwise, at the expense of the institution; the pupils to be provided with substantial meals, and to be instructed in the elements, 'but no high branch of education is to be publicly

Some consolidation of these Trusts recommended.

Exceptional character of Buchanan's Institution.

taught.' The institution was regarded by the testator as an experiment, and the trustees were empowered to abandon it at the end of ten years if it should be found not to work successfully. For details as to the practical working of the experiment, we refer to the evidence of Mr. Leggatt, the governor of the institution,* and to the published statement which was prepared by him, and to the Report of our Assistant Commissioner.† We do not consider that it should be condemned on account of the inferior educational results which have been arrived at. They are partly accounted for in the enumeration of the disadvantages under which it labours, as given in Mr. Meiklejohn's Report,—the lowness of the class from which the boys are drawn, the irregularity of attendance, and the time devoted to the industrial training. Much may be done to remedy this by careful examination, and, as recommended by Mr. Meiklejohn, by fixing a standard to which the classes may be expected to attain. But there are difficulties inherent in the attempt to bring together large numbers of the poorest and most destitute class. The object of the testator might be arrived at in many cases with more advantage by sending the boys to public and inspected schools. The only thing which would justify its being maintained as a separate institution, would be that its benefits should be conferred on a class repelled from the ordinary public schools of the working classes. This we understand to have been the aim of the founder, as evinced by the provision for feeding and for occasional boarding out of the boys. This latter provision has been acted upon only in two instances. It is to be observed, too, that the trustees, under their bye-laws, have been careful to exclude from it 'the waifs and strays' of the city. In the recent report of the Inspector of Reformatories and Industrial Schools, it is suggested that good day feeding schools may do much of the work aimed at by reformatories, and in a cheaper and simpler mode, especially in Scotland. This we understand to have been the aim of Mr. Buchanan, and we would not discourage the continuation of the experiment, subject to proper safeguards—publicity and Government inspection.

* Evidence, 7932 *et seq.*

† Appendix, Vol. I.

VI.—SCHOOL ENDOWMENTS—*continued.*

(Endowments for Burgh and Grammar (now Public) Schools, and other Schools chiefly for Higher Instruction.—Secondary Instruction.)

IN prosecuting the inquiry into School Endowments we have now to consider those which might be held to be applicable chiefly, though not exclusively, to Secondary instruction. Secondary Schools, in the proper sense of that term—*i.e.* schools which begin the instruction of their pupils where the Elementary Schools end, and prepare them for the higher class of Civil Service appointments and for the Universities—can scarcely be said to have any place in the educational economy of Scotland. ‘Grammar’ Schools have existed in most of the burghs for several centuries, and while the Parochial Schools may originally have been formed on the model of the old ‘Grammar’ Schools of the burghs, at the present time it would appear as if this had been reversed, and such ‘Grammar’ or ‘Burgh’ Schools as now exist, in all but a few of the largest burghs, are organized on the model of the Parochial Schools of the country districts. In a few of the largest burghs the old ‘Grammar’ Schools have developed into ‘High’ Schools or ‘Academies,’ and these schools may be regarded as Secondary Schools in the strict sense of the term. In some instances the old ‘Grammar’ Schools have outgrown the ordinary dimensions and organization of a school, and, perhaps in imitation of the Universities, have been divided into separate departments or faculties, which, though nominally parts of one school, are practically so many different schools under different teachers of co-ordinate authority, who are not responsible to any head master, and who are not unfrequently engaged in active competition with each other for the same pupils who nominally belong to one organized school. In the smaller burghs the ‘Grammar’ School has none of the distinctive characteristics of a Secondary School in the strict sense of the term. It is best described by saying, that it is a Parochial School situated in a burgh, managed before the passing of the recent Education Act by the burgh authorities, and maintained by burgh funds. It is attended by the same class of pupils as attend the Parochial School, and it offers much the same quality and character of instruction. There is, however, this broad distinction between the two classes of schools, that those Burgh Schools which were unendowed were dependent upon the ‘common good’ of the burghs, while the

No system of
Secondary
Schools
in Scotland.

Parochial School had a statutory provision, under which teachers could be appointed capable of carrying the instruction beyond the mere elements. By this means, children belonging to the middle and labouring classes received instruction not merely in elementary but in higher subjects; and in reference to this fact, the Education (Scotland) Commission, 1864, point out that, so far from it being the case that the Burgh Schools and Academies are the principal feeders of the Universities, it has been shown that while 42 per cent. of students come from the Burgh and Middle-class Schools, the rest come from the Parochial and other Elementary Schools, or from abroad.*

In considering this class of schools, we have had the advantage of 'Special Reports,' by Messrs. Harvey and Sellar, acting as Assistant Commissioners to the Education (Scotland) Commission, making a detailed statement and personal inquiry unnecessary.

Number and
Endowment.

Of Burgh and Grammar Schools and schools for the Higher instruction which can in the widest sense of the term be deemed Secondary Schools, there are, as appears from the table in the Appendix, but 50 which possess Endowment in the whole of Scotland.† The revenue of these 50 schools, including 'common good,' but excluding bursaries and scholarships,—in other words, the endowments available for Secondary instruction in Scotland,—amounts in all to the modest sum of £14,143 per annum; and if we add bursaries connected with Secondary Schools, the sum total is £16,550.

One-third of this sum belongs to the 'Burgh' Schools. The rest goes to maintain schools originally constituted by private benefaction, and maintained, in so far as their income is fixed, out of the revenues of that benefaction. The number of old Burgh or Grammar Schools which can be fairly classed as giving the Higher instruction, is 36; the Higher-class Schools, other than these, constituted and maintained by endowment, number 14. The number of teachers in these 50 schools, including assistant teachers where there are any, and visiting masters, but excluding pupil-teachers, amounts to 342. The average permanent salary, therefore, irrespective of fees, to which the teachers of the schools in Scotland endowed to teach the Higher branches can look, amounts to only some £42 a year, a sum which, we need scarcely say, is wholly inadequate. The poverty of these schools is one of the most striking, if not the most striking, of the peculiarities of the Scottish educational system. Lack of endowment has prevented the possibility of securing such assistance as is required to carry on the necessary

* Third Report, pp. 9, 10.

† Appendix, Table III.

drill in the rudiments of a Higher education. The teachers have been precluded from attending to the purely Secondary instruction to the extent which is usual elsewhere in schools which profess to fill the interval between Primary instruction and the instruction given in the Universities. And the Universities have suffered from this. Compelled to receive students whose acquirements were not such as to enable them to benefit by advanced instruction, the Universities, especially in the departments of Classics and Mathematics, have been obliged, to some extent, to discharge the functions of Secondary Schools. This function their constitution does not fit them to discharge with efficiency. They have, however, been forced to undertake it; and from that circumstance, and from the paucity of endowments for the promotion of the higher kind of school instruction, there are in Scotland but few schools of a purely Secondary character, as that designation is understood in other countries. We have, on the one hand, a statutory system of public Elementary Schools co-extensive with the wants of the country, and on the other a vigorous, though not the highest type of University life; but, intermediate between these, a system of Secondary Schools can scarcely be said to exist.

Our attention has been directed to the quality of the instruction given in the Burgh and other schools of the kind by several important witnesses, and the evidence of those gentlemen who have especially studied the subject is not favourable. Professor Ramsay gave us some valuable information on this point, and stated his opinion in no uncertain way :—*

Quality of Instruction in Burgh and other Schools of the kind.

Opinion of Prof. Ramsay.

‘ 5189. You had some remarks to make with regard to entrance examinations?—Yes; with regard to the entrance examinations to the University, and the state of preparation of the students who come up to the University, both from primary and secondary schools. I have for some time been anxious to see a general entrance examination established in all the Universities; and I believe, that although there would be difficulties at first, a satisfactory examination might in time be established. We would have to work our way gently and not too hurriedly, and in the course of time the standard might be raised to a point which would raise the work of our classes. But to make this possible, the teaching of the schools throughout the country, whether secondary or primary, must be much improved. To show this, I may mention that I have had in my class for two years an entrance examination exactly of the kind which it would be suitable to institute as the Latin part of the entrance examination. The examination is advertised in the Calendar, and students are expected to pass it. The examination is in accidence and syntax, with passages to translate from English into Latin, and similar passages to translate from Latin into English—all of a simple and elementary kind. The examination is not compulsory, except in this way, that if students do not pass it when they enter, I expect them to pass an

* Evidence, 5189 *et seq.*

examination of a similar kind later on in the session. In 1870-71 the total number who passed was 90; the total number plucked was 77. Those who did not pass the examination, therefore, were not far short of one-half. In the second year the proportions were somewhat similar.

'5190. Was this in the junior class?—Yes; in the junior Humanity class. In the second year, when the standard was made lower if anything, the total number of passes was 88, and of plucked 64, the proportions being very much the same in the two years. I keep a register of the schools at which each student has studied for several years preceding, and I find that, out of the total of 90 who passed, 50 came from secondary schools, 38 from primary schools, and 2 were educated abroad or privately. Of those who were plucked, 29 came from secondary schools, 40 from elementary schools, and 8 were educated abroad or privately, making a total of 77. These figures show a very inferior state of preparation on the part of the students coming from our secondary schools. I am strongly impressed with the extremely defective character of the education given in our secondary schools as a whole.

'5191. That is, in those branches which come up to the University?—Yes; and these are a very fair test of the whole. It is surprising how many students there are who have passed some years at secondary schools without carrying away with them any sound or accurate knowledge of what they have been taught.

'5192. Have you contrasted the students who have come from different secondary schools, so as to draw a conclusion with regard to the respective schools?—I could do so, but my remarks apply, more or less, to the schools as a whole.

'5193. I don't want you to specify names?—I should prefer not to do so.

'5194. What are they examined in?—Accidence, syntax, with simple translation and re-translation. One reason for the failure of many was, no doubt, their want of practice in examinations. In my own class this year, there were 52 students who told me they had never done an examination paper.

'5195. Are you speaking now of students who came to you from the secondary schools?—These last were no doubt principally from elementary schools. Of the 90 who passed, 50 came from secondary schools and 38 from primary schools. 29 of those who were plucked came from secondary schools, and some of these have been six or seven years at secondary schools which are considered to rank high. Of the 50 who passed, one-half came from two schools, the Academy and the High School in Glasgow, which are the two best schools there.

'5196. To what do you attribute that deficiency of the students who come from secondary schools?—I attribute it to several causes: First, the whole system of promotion in our Scotch schools, or rather the absence of promotion, is wrong. Secondly, the system by which a schoolmaster is supported entirely or principally by his fees, I consider to be very injurious to the interests of education. Thirdly, there is a want of proper organization in the schools—there is no government—each master is practically competing with his neighbour. And lastly, there is no inspection on the part of the public or the Government. There is no publicity about these schools; nobody knows what work they do; there is no standard to compare them with; there is no means of finding out whether a school is good or bad; and the classes in many cases are too large.

'5197. Would you state what bearing you consider these conclusions to have upon our general inquiry?—They establish the unsatisfactory

nature of the results obtained even in our best middle-class schools. Without naming particular schools, I state confidently that the state of preparation of the students who come up to my class year by year is sufficient to prove that our secondary school system stands in need of radical reform. The results it produces are extremely poor. The material, both in teachers and in taught, is excellent; it is the system which is defective.'

Principal Shairp in like manner says :—

'7631. Should you think it desirable to restore the entrance examination, if the other Universities would unite in doing it?—I should think so, if something were done for the secondary schools first; but I think the secondary education throughout Scotland must be enlarged and improved before that would be desirable.'

Opinion of
Principal
Shairp.

Principal Sir Alexander Grant, in answer to a similar question, says :—

'3528. Is there an entrance examination in the University?—No, there is no entrance examination as yet. The argument against that has always been that the schools are not fit for it. The low state of the secondary schools of the country prevents the Universities from introducing an entrance examination without inflicting a great hardship on the boys in many parts of the country.'

Opinion of
Principal Sir
Alex. Grant.

These opinions are further confirmed by the returns made to us. Table IV. in the Appendix will be found instructive, as it shows the number of scholars in the highest class of the schools respectively, and the work done during the past year by them. The number studying classics in the highest classes of the Burgh and other schools of the kind was last year 607, mathematics 616, and modern languages 682. These figures appear satisfactory until reference is made to the work actually done by the highest classes. It will be found, if we except seven or eight schools, that the work, as might be expected from the age of the pupils, is not in advance of that usually given in the middle forms of the great Public Schools of England. It would be an error, however, to suppose that these numbers include all who are being prepared for the Scottish Universities in the schools of Scotland. The old Parochial Schools, or Public Schools as they are now called, in the country districts, give instruction to a considerable number. Some private schools also follow the curriculum adopted in the better class of Burgh and Grammar Schools.

Confirmation
of these
opinions.

If we were to confine ourselves strictly to reporting on the uses to which endowments for Secondary instruction are applied, we should concur in the view expressed by the Assistant Commissioner to the English Schools Inquiry Commission, and indicated by the Assistant Commissioners to the Education (Scot-

land) Commission, 1864, that, considering the endowments hitherto available, the results are creditable to the energy and efficiency of Scottish schoolmasters. But our Commission has imposed on us the duty of reporting whether 'any and what changes in the administration and use of such endowments are expedient by which their usefulness and efficiency may be increased.' It is necessary, therefore, to state shortly the existing defects, and to indicate where the remedy for admitted evils is to be found.

Defects in existing schools.

Competition between schools and Universities.

Remarks of the French Commissioners on this point.

The chief obstacle to improvement in the character of the Scottish schools is, as already indicated, the lowness of the standard at which the teachers are compelled to aim; and this low standard is due to the small endowments and the competition between the different classes of schools and the Universities, or in other words, the general dislocation of the school and University system. The French Commissioners, MM. Demogeot and Montucci, pointed out the weak point in our educational arrangements when they said: 'Il n'y a pas en Ecosse une ligne de démarcation bien tranchée entre l'instruction primaire et l'enseignement secondaire.' The Universities encroach upon the ground which, under a well-ordered system, would be occupied by what are now called 'the Higher-Class Schools.' The Higher-Class Schools are thus pushed off their own ground, and encroach upon the Elementary Schools; and the Elementary Schools, in their turn, encroach upon the Infant Schools. The Assistant Commissioners, Education (Scotland) Commission, 1864, dwelt with emphasis on this peculiarity: *—

Remarks of Scottish Assistant Commissioners.

'Parochial Schools,' say the Scottish Assistant Commissioners, 'and those on this model, are attended by children who ought to be in Infant Schools; and what are called Infant Schools are attended by big boys and girls, who ought to be in the more advanced schools. The Burgh and Middle-Class Schools, in like manner, which might be expected to be Secondary, combine in themselves Infant, Elementary, and Secondary Schools. Sometimes in the same class-room, and taught by the same master, there are boys and girls of fifteen and sixteen years of age, reading, it may be, Homer, and Virgil, and Racine; and alongside of them infants under six years of age, learning their letters and the multiplication table; and young men of eighteen and twenty, who, according to age, ought to be in the Universities. . . . There is no uniformity or organization throughout the country, but schools have been left just as they have grown up, or old schools have been amalgamated with new, so that the general result is a sort of ill-ordered patchwork, and the great marvel is, how much good comes out of this disorder.'

Asst. Comrs'. Report, p. 109.

Mr. Fearon, reporting to the Schools Inquiry Commission, says: †—

* Report on Burgh and Middle-Class Schools, p. 109.

† Schools Inquiry Commission Report, Vol. VI., pp. 7, 8, 30.

‘For the present, it will be sufficient to call attention to the two following facts, viz.:—

‘(a) *The combination of Primary and Secondary Education in Parochial and Burgh Schools.*—The Parochial Schools carry on instruction into the dead languages, and often prepare their scholars for the Scotch Universities; while the Burgh Schools frequently undertake the education of infants from the earliest elements.

‘(b) *The combination of Secondary and Superior Education in the Scotch Universities.*—The Universities undertake the instruction of lads of fifteen or sixteen years old in the rudiments of the dead languages, mathematics, etc., besides carrying on a higher culture with more advanced students. . . .

‘One necessary effect of the nature of these institutions, *i.e.* the Scottish Universities, is the *shortening of school life in Scotland*. Instruction in classics and mathematics, at least as elementary as that given in the upper classes of the Burgh Schools, may be obtained in the Universities. . . . There is indeed no reason why lads should stay on at the Burgh Schools when they can go to those great finishing schools, the Universities, and learn the same subjects from more distinguished teachers, with greater freedom and often at less expense.’

Remarks of
English Assist-
ant Commis-
sioner.

Another obstacle to any real improvement in the character of the schools is the mode in which the internal economy of many of the existing schools is regulated. The teachers are dependent on their fees, and consequently are too often, unfortunately for themselves and for the schools, constrained to enter less on a co-operative undertaking for the benefit of the institution than on a struggle for existence against each other. On this point Dr. Donaldson has given important evidence:—

‘2377. Will you state any other facts bearing on the endowments of middle-class schools in Scotland with which you are practically conversant?—Yes; but I may state that, for lack of endowments, such schools are almost unable to adopt modern systems of education. They are dependent to a large extent upon their fees; and the consequence of that is, that the interests of the masters often clash.

‘2378. Do you mean that they must have large classes to begin with?—Yes; or one master may have a large class, and another may not. For instance, the difficulty in Elgin Academy arose from one master taking the pupils from another master’s class.

‘2379. Do you mean that there was a struggle for the boys?—Yes, a regular struggle. In the case of the Forfar Academy, I was called in because there had been a deadly quarrel between some of the masters; and there again it was about fees, and they were actually fighting for their livelihood. That is the case in a great number of the middle-class schools, where, owing to the want of endowments, and to the fact that they have no regular salaries, but have to rely upon the fees, the institutions get broken up, as it were, into different parties, and they are not in a healthy state.’

Competition
between
teachers in the
same schools.

Remarks of
Dr. Donaldson
on this point.

Professor Ramsay likewise, in summing up the causes of the deficiency of the students who come from the Burgh and other schools of the kind, mentions as not the least important, ‘the system by which a schoolmaster is supported entirely or principally by his fees, and the want of proper organization in the

Remarks of
Professor
Ramsay.

schools. There is no government. Each master is practically competing with his neighbour.*

No examination of the schools by competent examiners.

Another important defect may also be here noted, viz. that hitherto there has been no examination of the schools by competent and responsible professional examiners.

Contribution to Secondary instruction of the country made by old Parochial Schools.

In offering any recommendations for the improvement of the Secondary instruction in Scotland, it must not be supposed that we have overlooked the important part taken by the old Parochial Schools in the rural districts, and especially in the counties of Aberdeen, Banff, and Moray, in providing such an education for a proportion of their scholars as has qualified them to enter the Scottish Universities, and not unfrequently to distinguish themselves therein. But while these contributions to the Secondary instruction of the country are considerable, and valuable to those individuals who have benefited by them, it must not be forgotten that, except in the three north-eastern counties, the Secondary instruction has been limited to a very few scholars in each school which professed to give such instruction, and the progress made by them has not been great. Mr. Gordon's evidence on this point is material:—

Value of such contributions.

Evidence of Mr. Gordon.

'219. There is a great want felt in Scotland of a provision for secondary instruction?—A very great want.

'220. Do you think there is an increasing want?—There is no increase in the supply adequate to the want.

'221. You think the demand exists, and that there is not a supply?—I think that may be fairly said to be a pretty frequent case.

'222. In the inspected parish schools of these counties—the counties of Edinburgh, Haddington, Linlithgow, Peebles, Selkirk, Roxburgh, and Berwick—how did you find the secondary instruction?—The following table shows:—

	No. of Schools Inspected.	In which are taught Latin.	Greek.	French.	Geometry.	German.
Parish schools, .	63	33	3	26	18	2
Burgh schools, .	4	4	3	4	3	...
Other schools, .	124	11	...	5	1	...

'223. How far would the scholars in the parish schools go in Latin?—Not very far.

'224. Beyond the grammar?—Yes.

'225. Cæsar?—Yes; and prematurely reading, it may be, more difficult authors.

'226. How far in Greek?—A very small way; reading a little of the Anabasis.

'227. In how many parish schools was Latin taught?—Thirty-three out of 63.

* Evidence, 5196.

‘228. And Greek?—Three out of 63.

‘229. In the 33 schools, how many boys on an average would be learning Latin?—Four or five, I should say, but in some cases a good many more, and so well as to qualify at once for admission to the University.

‘230. And in the three schools in which Greek was taught, how many would be learning Greek?—Perhaps the same number.

‘231. And perhaps the same boys?—Yes.’

And while this must be borne in mind in estimating the value of the contributions to the Secondary instruction of Scotland thus made by the old Parochial Schools, it must also be remembered that the system of combining in the same school a Secondary with an Elementary education may have checked the rise of schools thoroughly adapted for Secondary instruction, and has tended to divert public attention from the want of such schools.

We consider that this system, even with these drawbacks, has conferred great benefit on the country; and on it, aided, as it will be, by the ‘Scotch Code,’ we must still rely in many rural districts for at least the elements of an education in the higher branches of knowledge. But if we look for any real improvement in the standard of Scottish Secondary instruction, we must not rest content with such agencies as these. What we require in Scotland is a supply, adequate to the wants of the country, of thoroughly-equipped Secondary Schools, with clearly defined limits between the Elementary Schools on the one hand and the Universities on the other, giving a really high class of Secondary instruction at reasonable fees, organized on the best principle, and managed and taught by an efficient staff of well-paid teachers. And we have now to consider whether, with the materials which exist in the country, any reasonable expectation can be formed of these requirements being supplied.

Requirements in Scotland for the improvement of Secondary instruction.

Can these requirements be supplied out of existing materials?

And first of all, attention must be directed to the changes in the conditions of many of the Burgh Schools made by the Education (Scotland) Act, 1872.

The object of that Act is to establish schools throughout the country for Elementary education, and these schools are to be supported by local rates, imperial grants, and school fees. This object has been attained, and by the provisions of the Act an organized system of Public Schools, mainly Elementary, is secured. But the Act has gone beyond this, and by converting certain schools, which before the passing of the Act combined Elementary and Secondary instruction, into ‘Higher-class Public Schools,’ which are directed to be managed ‘*with a view to promote the higher education of the country,*’* it has recognised the importance of

Changes made by Education (Scotland) Act, 1872.

Remedy for first evil.

* ‘62. *Higher-Class Public Schools.*—*Burgh.*—With respect to burgh schools existing at the passing of this Act, in which the education given does not consist

Recognition
of importance
of establishing
grades of
schools.

separating the two classes of schools, and of establishing grades of schools, leading from Elementary through Higher-class to the Universities. By the following provision, it is incumbent upon School Boards, in so far as practicable and expedient, to drain the elementary teaching out of the Higher-class Schools by providing for it elsewhere, so that full scope shall be given for the development of Secondary instruction :—

‘A school board having the management of any such school shall, so far as practicable and expedient, subject to the approval of the Board of Education, relieve the same of the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public school accommodation for such elementary instruction, so that the funds and revenues of such higher-class school, and the time of the teachers, may be more exclusively applied to giving instruction in the higher branches.’

If School Boards apply themselves to carry out this provision according to its manifest intention, some progress towards the higher standard of Secondary instruction which is desiderated will have been made.

chiefly of elementary instruction in reading, writing, and arithmetic, but of instruction in Latin, Greek, modern languages, mathematics, natural science, and generally in the higher branches of knowledge, the following provisions shall have effect :

- ‘(1.) Such schools shall be deemed to be higher-class public schools, and shall be managed by the school boards accordingly, with a view to promote the higher education of the country :
- ‘(2.) A school board having the management of any such school may from time to time fix the standard of qualification of all or any of the teachers to be appointed thereto, and determine the subjects of the examination to be passed by them respectively, and from time to time appoint examiners (who shall be professors of some Scotch university, or teachers of distinction in a higher-class public school) to conduct the same; and the foregoing enactments regarding certificates of competency shall not apply to teachers of higher-class public schools whose qualifications have been fixed and ascertained under this provision ; but any person who at the time of the passing of this Act, being a master in a higher-class school, is a member of council of any of the universities of Scotland, shall be deemed to be the holder of a certificate of competency for the office of teacher in any of the said higher-class schools :
- ‘(3.) The funds and revenues of such schools shall consist of—1. Contributions payable from the common good of the burghs in which they respectively exist ; 2. All endowments applicable to the general purposes of the respective schools ; 3. Endowments for the promotion of instruction in particular subjects, or for the benefit of teachers of particular branches in the respective schools ; and 4. Fees paid by scholars. And the whole funds and revenues of any such school shall be administered exclusively for the purposes thereof, and the fees of each school shall be paid to the treasurer of the board, who shall keep a separate account thereof, and the full amount of the fees shall be divided and distributed among the teachers as the board shall determine ; and the Board of Education shall be entitled from time to time to require from the school board a statement of the funds and revenues of each school and of the application of the same :
- ‘(4.) A school board having the management of any such school shall, so far as practicable and expedient, subject to the approval of the Board of Education, relieve the same of the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public school accommodation for such elementary instruction, so that the funds and revenues of such higher-class school, and the time of the teachers, may be more exclusively applied to giving instruction in the higher branches :

The second obstacle to improvement to which we have referred, ^{Remedy for second evil.} viz. the competition between teachers in the same school for the pupils in attendance, may also be remedied by these provisions. Henceforth the fees in every Higher-class Public School will be ^{Establishment of a common fund.} paid into a common fund under the management of the school treasurer; and the School Board in each burgh, having the management of the Higher-class Schools therein, will divide the fees among the teachers as the School Board shall determine. Teachers will for the future, if this provision be carried out, consider the good of the school as the primary object of their teaching.

The third evil of the existing state of things — the want, ^{Remedy for third evil.} namely, of any system of public examination — has also been met, or, speaking more accurately, power is given to School Boards to meet it if they choose to do so. Provision is made for ^{Provision for examination of schools.} the examination of the Higher-class Schools, and the expenses may be paid out of the school fund. The terms of the enactment are general. Every year each school must be examined, and these examinations may be conducted in whatever way the several School Boards determine. The School Boards having the management of these schools might each year institute competitive

‘(5.) The fees to be paid for attendance at any such school shall be fixed from time to time, but at intervals of not less than three years, by the principal teacher and the ordinary teachers thereof, with the approval of the school board, subject to the determination of the Board of Education in the event of difference of opinion :

‘(6.) Every such school shall, with reference to the higher branches of knowledge taught therein, be annually examined by examiners appointed and employed for that purpose by the school board, and in fixing the periods of examination regard shall be had to the reasonable wishes of the head-master and other teachers, and the expenses incident to the said examinations may be paid out of the school fund, and the houses of such schools shall be deemed school-houses within the meaning of the clause of this Act regarding the borrowing of money on the security of the school fund and school rate.

‘The schools specified in Schedule C hereto annexed shall be deemed to be higher-class public schools to which the foregoing provisions apply; and it shall be lawful for the school board of any burgh, by resolution at a meeting specially called for the purpose on fourteen days’ notice in writing to each member thereof, to resolve, subject to the approval of the Board of Education, that any school under its management shall be deemed to be a higher-class public school, to be managed according to the foregoing provisions.

‘63. *Higher-Class Public Schools.—Parish.*—When from the existence of any endowment or foundation, in whatever form, or in whatever terms, or from any other cause, a parish school existing at the passing of this Act is in the condition of being a school in which instruction in the higher branches of knowledge is given to such extent, and to such a number of scholars, that it is not reasonably to be considered as chiefly an elementary school, it shall be lawful for the school board having the management thereof, by resolution passed and approved of in manner provided in the preceding clause with reference to burgh schools, to resolve that it shall be deemed to be a higher-class public school, to be managed according to the provisions of the foregoing section, and thereafter such school shall be subject to the said provisions so far as applicable to the circumstances thereof.

‘64. *Funds.*—No part of the funds or revenues of a higher-class public school within the meaning of the preceding clauses shall pass into the school fund, and no part of the expenses of any such school, except as herein otherwise specially provided, shall be paid out of that fund.’

examinations between their several schools, and appoint and pay the most competent men to conduct the examinations. If the School Boards (say) of Edinburgh, Glasgow, Aberdeen, Dumfries, Perth, Ayr, and Stirling were to organize a general examination of their Higher-class Schools in accordance with the spirit of this provision, and publish the results of the examinations, the effect upon the Higher-class instruction of the country would be beneficial.

Application of
second remedy
to High School
of Edinburgh.

The three most obvious hindrances to the progress of the higher education as given in our schools—viz. want of organization, want of system in the internal economy of the schools, and want of examination—have thus to some extent been met by the Education Act. The provisions we have referred to facilitate the reform of the internal organization of schools, and they have already been taken advantage of by the School Board of Edinburgh. The following is the explanation given by the Rector of the High School of the changes which the Act has enabled the School Board to make:—

‘Shortly after the School Board was elected, a committee was appointed to deal with High School matters, and considerable changes were introduced. The entire fees, and the amount from endowment to be assigned for salaries, were thrown into a common fund. Definite sums were proposed as fixed salaries for all the ordinary masters. If the funds permitted, these sums were to be paid in full. If they fell short, all the masters were to lose in proportion to the salaries proposed; and if they were more than enough, the balance was to be divided amongst the masters in the same proportion, or spent upon additional masters. This scheme at once puts an end to rivalry among individual masters for special pupils, and stimulates all to increase the entire number attending the school. It obviates all objections that might be proposed to limiting the numbers in the respective classes, or advancing their pupils according to progress. In fact, in combination with the annual examination instituted by the Education Act, it leads masters to desire that their pupils be well assorted, and that the class be manageable as to numbers. And the whole body of teachers act in harmony with each other, feel bound to assist each other, and have strong reasons for wishing that every pupil in the school be taught as well as possible by every master.’

Also to High
School of
Glasgow.

The Glasgow School Board, also, have approved of the organization of the High School under a head master, and have formed a general fee fund, into which all fees are paid except those for Modern Languages. The fees are distributed among the masters according to a scale arranged by the Board.

The example set by the School Boards of Edinburgh and Glasgow will doubtless be followed in other towns. A common

fund will be established in connection with the principal Higher-class Schools, out of which the teachers' salaries will be paid, and the teachers will be enabled to restrict the number in each class, and to institute a system of 'removes,' by which boys will be advanced from class to class when they are sufficiently prepared for promotion.

The Act, however, does not provide any remedy for the evil which lies at the root of the chief defects of the Secondary School system of Scotland, viz. the want of endowment. Powers are given to the School Boards to pay examiners out of the rates, and, it may be (but this point is doubtful), to defray the repairs of the buildings. Beyond this no provision is made for maintenance. Without additional funds, no effective improvement of the Higher-class Schools of Scotland is possible, and the requirements of the country cannot be met.

No remedy in Act for evil which lies at the root of the chief defects, viz. want of endowment.

Provision of the amplest kind has been made by law for Elementary instruction. By means of rates, Parliamentary grants, and fees, Elementary Schools have been, or are in the course of being, established and supported throughout Scotland. The Universities are aided from year to year with Imperial money. Large sums have been raised of late years, both in Glasgow and in Edinburgh, for the University buildings in these two towns, and these sums have been supplemented by building grants from the national exchequer; and scholarships and fellowships have been established in connection with the Universities by the liberality of enlightened benefactors. But while the Elementary Schools and the Universities are thus fostered by the State, and enriched by individuals, the Secondary Schools, which ought to fill the gap between these institutions, are left to starve. Parliament has not granted them any aid, and private benefactors, who deal liberally with the Universities, forget the source that supplies the objects of their liberality.

Provision made for both Elementary and University instruction.

But no provision for Secondary instruction.

The reforms proposed in this Report, if carried out, will in some localities increase the amount and improve the character of Secondary instruction. It is not improbable that such schools as Morison's Institution, Hutton Hall, and Wallace Hall will assume larger proportions under judicious reorganization;* that Wood's School, Fife, at present an Elementary School, will, in a more suitable centre, and under altered conditions, attain the objects of its founder;† and the changes proposed with regard to the governing bodies will in many cases put new life into existing institutions. The opening up of the Hospitals, also, will be a substantial addition to the means of obtaining Secondary

Reforms proposed will, if carried out, do something for Secondary instruction.

* See the Secretary's Reports on Hutton Hall and Wallace Hall, Appendix, Vol. I.

† See Appendix, Vol. II.

instruction. The application of local endowments in rural Public Schools can hardly fail to perpetuate and improve the Higher instruction, which has hitherto been given in the agricultural and pastoral, and not unfrequently even in the Highland parishes, and to which, as we have stated previously, we must still look in these districts. But more is required. To supply the want, we must, in the absence of any direct encouragement to the higher education from public money, place our chief reliance on local efforts and individual benefactions. But for the aid which will even then be wanted, we may reasonably look for contributions from the wealthy foundations of the country. Where it can be shown that the reasonable objects of a founder can be attained without expending the whole present revenue, it seems to be a legitimate application of the remainder to apply it in promoting the Secondary instruction of poor boys in schools beyond the locality to which the endowment primarily applies. By throwing open a certain proportion of the foundation places in the Hospitals to competition, the advantages of higher instruction in the locality of the endowment are offered, and to some extent the wants of the country may be met by drawing the more promising boys to these centres. But this is not enough; and we are of opinion that it would be desirable also, where practicable, to apply a portion of any revenues that may be available for educational purposes to the encouragement of Secondary or Higher-class Schools in the district of the Endowment, and we would recommend that this receive the attention of any body which may be empowered to carry out the recommendations in this Report. The schools which would necessarily first engage the attention of this body would be the eleven Higher-class Schools scheduled in the Education (Scotland) Act, which for convenience may be called the Statutory Secondary Schools. These are:—

Aberdeen,	New Grammar School.
Ayr,	Academy.
Dumfries,	Academy.
Edinburgh,	High School.
Elgin,	Academy.
Glasgow,	High School.
Haddington,	Burgh School.
Montrose,	Academy.
Paisley,	Grammar School and Academy.
Perth,	Academy.
Stirling,	High School.

If these eleven Statutory Schools were adequately endowed and fully equipped, an addition would be made to the educational machinery of the country which would tell powerfully on the standard of attainment in schools, and enable the Universities to prosecute their proper work. And if, in addition to these Statutory Schools, similar centres of Secondary instruction could

But more is required.

Where the reasonable objects of the founder can be attained without expending the whole of the present revenue, the balance might be applied to promotion of Secondary instruction of the poor.

Portion also of surplus revenues should be applied to encouragement of Secondary Schools.

And first of the eleven Statutory Secondary Schools.

be multiplied by private benefaction or otherwise, so that a good Higher-class School should be established in each important town, Scotland would no longer be exposed to the reproach which has been cast upon her, that she has failed to supply her sons with the means of obtaining a superior education in their own country. With regard to certain schools, we indicate, in the chapters on General and Mixed Bequests, a possible source of revenue, which might be applied in support of local efforts.

The first step, then, towards improvement in the standard of Secondary instruction is the establishment and equipment of a sufficient number of Higher-class or Secondary Schools; and it appears to us, that by carrying out in detail the suggestions in the foregoing pages, we may reasonably expect that this point will be attained. The next step to be taken is to institute a system of open bursaries or scholarships from the Public Elementary to the Secondary Schools, and from the latter to the Universities.

Secondary Schools being established and equipped, the next step is to institute bursaries from the Elementary to the Secondary Schools.

Principal Shairp, in answer to the question, 'Do you think that a right organization of the Secondary Schools would have much effect on the Universities as well as on the Secondary Schools themselves?' says: 'Yes, especially if connected with the Secondary Schools in large towns and centres of population there were some bursaries or exhibitions open to Primary Schools in the country, so that a lad who has distinguished himself at one of the newly instituted Public Schools would have the opportunity of going for a year or two to a Secondary School.'*

Opinion of Principal Shairp on this point.

Principal Tulloch concurred in this view, adding, 'In short, the bursary system to begin lower down;' and Sir Alexander Grant, in answer to a somewhat similar question, said: 'I think we first want exhibitions to connect the Parish Schools with the Secondary Schools, and after that bursaries to connect the Secondary Schools with the University; but I should be more inclined to think that the former should be the primary object.† This opinion is pretty generally entertained by all who gave evidence upon the subject. Bursaries, to enable the meritorious poor to carry on their education beyond those branches which can be acquired at an Elementary School, and to proceed from the public Elementary to the Secondary Schools, are essential to a well-organized system of education. Bursaries of the kind thus contemplated should be large enough to enable lads to live for nine or ten months in the year in one of the towns or centres of population in which the statutory schools are situated. The scholarships now granted by the authorities who manage the Normal Schools in this country amount to £20 or £24 per annum. This sum is considered barely enough to keep a Normal

Principal Tulloch.

Principal Sir Alexander Grant.

* Evidence, 7632.

† Ib. 3532.

School student. Students do live upon their scholarships, but only with difficulty. A bursary of about £25 ought very nearly to keep a schoolboy in a provincial town, and out of it he should be called upon to pay such fees as may be exacted at the Public Schools.

Such bursaries should amount to £25 per annum.

Nucleus of such a bursary scheme exists in the endowments attached to the Burgh Schools.

It appears from the Reports of the Assistant Commissioners to the Education (Scotland) Commission, 1864, that in the endowments attached to the Burgh Schools a fund exists which might at the least form a nucleus for the establishment of a bursary scheme of the kind here indicated. But it may be stated that the estimate of the value of these foundations given by these Assistant Commissioners falls considerably short of the total amount which has been reported to us. The total revenue for bursary purposes is about £2000 a year. It is difficult to estimate the proportion of this sum which may be held to be allocated to Secondary instruction, because the combination of Secondary with Primary instruction is, as elsewhere in Scotland, almost universal. In Glasgow the bursary funds are of considerable amount, but they are so mixed up with other charitable endowments that it is difficult to separate them. Throughout Scotland, not less than £6000 a year is available for bursary purposes in connection with either Elementary or Secondary instruction. We may fairly estimate the portion applicable to Secondary instruction at not less than one-half the above sum.

Remarks on these endowments by Scottish Assistant Commissioners.

The remarks on the practical working of the bursary endowments in connection with the Burgh Schools, in the General Report of the Assistant Commissioners to the Education (Scotland) Commission, 1864, seem to us of sufficient value to warrant us in giving them in full. The changes recommended by them, which are summed up in the concluding paragraph, are quoted with approbation by the Education (Scotland) Commissioners in their Third Report: *—

‘ We come next to the mortifications in the Burgh Schools applicable to the students. Out of all the public schools¹ from which we have received returns, forty-two have no bursaries; the rest have among them an annual income applicable to this purpose of £1630. Of this sum, £1272 are devoted to boys at school, and £358 to students at College. There are, besides, a few money prizes that might be included under this head, but they are insignificant in number and value. Here and there, also, throughout the schools, we found boys in the enjoyment of bursaries that paid for their books and fees. In Airdrie, for example, a number of poor children were being educated at the Academy on the proceeds of a small foundation; but their connection with this school was merely accidental, and might be terminated at any moment the trustees saw fit to send the children to another school within the bounds of certain parishes. To include these, therefore, in our estimate of bursaries attached to the

¹ Trinity College, Glenalmond, is not included in our estimate here or elsewhere, unless specially mentioned by name. It is a school by itself in Scotland. The Special Report contains all the information regarding it.

* Third Report, p. 23; and Report of Assistant Commissioners, p. 62.

Burgh Schools would have been misleading, although the paltry pittance they afforded would not materially have added to the total.

'The school bursaries, which are about 170 in all, yield on an average rather more than £7 a year to each bursar. There is, however, a great variety amongst them; and some are hardly worthy of the name of bursaries, while others are really valuable, and might be made extremely useful. Lanark is an illustration of a school where the bursaries are of trifling value. There are no fewer than 37 boys in the school, or a third of the whole number of scholars, who have bursaries. Their aggregate value is £76, 8s., and, in addition to the school fees, they yield each boy about £1 in money. Poverty and residence within the parish are the qualifications, and the bursaries are intended to furnish an elementary education. Ayr Academy has mortifications worth about £55, which educate fourteen or fifteen children, "who are to be poor orphans, or children of parents in necessitous circumstances." In Banff there is a sum of £2000, the interest of which is applicable to twenty-six bursars, appointed partly by the Town Council, and partly by the Kirk-Session of Banff, and which yield, on an average, £3, 10s.

'All the school bursaries, however, are by no means insignificant. Even in Banff, where the average is so low, there is one bursary worth £22 a year. In Inverness Academy there is a large endowment, called the Mackintosh of Farr Fund. By means of it ten boys are clothed, educated, and boarded, at an annual cost of £499, or £50 a head. These bursaries are regulated by Act of Parliament, and under it power is given to establish three bursaries at a University of the value of £60 each. This power has not yet been exercised; when it is, the number of bursars at the school will be diminished. In Aberdeen New Grammar School there are 28 bursaries, that vary in value from £3 to £16. In Dundee there is one mortification to which we would call especial attention. In 1695 a person of the name of Ferguson left a sum of money for the maintenance of two boys at the "Grammar School" of Dundee for four years, with power to send any of the boys who were "capable of learning, and had an inclination to be scholars," to the University of St. Andrews when their school course was ended. This power has never been exercised by the trustees. The stock of the mortification consisted, at the close of last account, of £3230, and the income from this, and (we presume) from other money lying at interest, may be stated at £250. The annual expenditure amounts to £22, viz. £8 for each of the two bursars, and £6 for expenses of management. The factor on the estate has furnished us with the following explanations:—"The patrons (the Provost and Mr. Webster of Balmuir) are advised that they have no power to increase the number of bursars. They therefore contemplated an application for a private Act of Parliament, but are deterred by the expense attending the passing of such Acts. They look forward, however, to the passing of an Act to reduce the cost of private bills, and then hope to get powers."

'The College bursaries are much fewer in number, but more valuable, than the school bursaries. There are two in Irvine of £20 each, tenable for four years, to be competed for by students about to enter College. There are three in Dumfries worth £18, £15, and £12. They are tenable each for one year. The bursars must attend the mathematical and one other class in Edinburgh or Glasgow University. They are open to all boys who have attended the Dumfries Academy for two years, and are given by competition in English, classics, and mathematics. In Dundee, two bursaries of £20 each have just been founded for the maintenance of two boys at St. Andrews. They are to be

tenable for four years, and are to be given for attainments in classics and mathematics, an equal value being assigned to each subject. In Edinburgh High School there is but one College bursary, of a rather peculiar nature. The dux of the High School, if he wish to prosecute his studies for one of the learned professions, and require assistance, is entitled to demand that the Governors of Heriot's Hospital should present him to a bursary at their disposal of the annual value of £20, tenable for four consecutive years during the student's attendance in the literary classes of the University of Edinburgh. In the Madras College, St. Andrews, there are eight bursaries for boys who have been educated at the school for at least three years. They are tenable for four years, and consist of—one of £20, two of £15, and five of £10. They are presented each year to the two best pupils in the classical department, and the bursars must attend St. Andrews University.

‘It will be seen, from the above details, that the College bursaries are mostly given by competition, or are assigned to those boys who have distinguished themselves at school. We believe that they have proved of undoubted service in promoting the education of deserving students. We wish that we could say as much in favour of the school bursaries, but truth compels us to acknowledge that they do less good than might be expected, and that occasionally, from the mode of their administration, they are a positive evil. The first point to which we would call attention is the small value of most of the bursaries. A few of the less important might be retained for necessitous cases, but it would certainly be an advantage if a number of them were thrown into one, so as to raise the minimum value to £6 or £7.

‘In the next place, the condition of poverty attached to most of the bursaries is one of very doubtful utility. It seems, at first sight, wise and considerate, but it would greatly increase the good done by the bursaries, and the value attached to them, if this condition were repealed. Bursaries should be the prizes of merit, and poor students, we may be sure, would win their fair share of them in open competition. As it is at present, the holder of a school bursary is more or less the recipient of charity. It was always, therefore, a matter of delicacy, on this very score, to push any inquiries about the bursars.

‘But infinitely worse than the condition of poverty attached to most of the bursaries, is the fact that they are given without competition. No good can ever be done till the present close system is abolished. Its evil effects were constantly brought under our notice. They mainly showed themselves in two ways; the bursaries were sought after on account simply of their pecuniary value, and the bursars were very often among the most incompetent boys in the schools. In Montrose, where eight boys received each £18 and a free education in Latin, the latter, we were told, was regarded rather as a penalty than a privilege attached to the endowment. In Banff and Dundee the same tendency manifested itself to disparage the educational part of the bursary, and to value only its pecuniary advantages. In Aberdeen, we directed particular attention to the bursars. Twenty-six bursaries are there given without competition. The patrons are in some cases private individuals, in others the Town Council and other public bodies. The rector and masters were very strongly of opinion that the bursaries should be thrown open to competition. One master, who had been twenty-two years connected with the school, said that, during all that time, only twice or thrice had the best or even a very good scholar in his class been a bursar. The advocates of things remaining as they were urged that the bursaries were bequeathed for the benefit exclusively of poor

children, and that the intention of the donors would be frustrated if they were thrown open to competition. In the special report on Aberdeen, there is a list given of the places held by twenty-four bursars whom we found in the school at the time of our visit. Of seven bursars presented by the Town Council, two were actually the "boobies" of their respective classes, and only five out of fourteen presented by them and private patrons were in the upper half of their classes. No reform will be worth much that falls short of throwing school bursaries open to competition. So strongly did the evils of the close system of election press themselves upon us in Aberdeen, and everywhere else, that we could hardly regret the paucity and smallness of the bursaries. By the changes, however, which we have ventured to suggest, by putting several of the smaller bursaries into one, by removing the restrictions that confine them to one class of boys (restrictions that are really unkind to the very persons whom they are intended to protect and benefit), and above all, by throwing them open to competition, there is no doubt that the bursaries would prove of very great value to the schools, both in attracting good, hard-working boys, and in rewarding merit and industry.'

These remarks are enforced very strongly in some of the Special Reports. In one instance, that of Aberdeen, the rector suggested a compromise to meet the case of bursaries devoted to charitable cases, and proposed to require the bursars on their appointment, and in every year of their course afterwards, to pass a minimum examination. The Assistant Commissioners state, that the position which they found the bursars occupying in their classes seemed to justify a more sweeping measure of reform. In the case of Montrose, where a valuable foundation is left to poor and orphan boys, they remark: 'The patronage of this fund is in the hands of the Provost. All manner of interest is used to get these bursaries. Poverty is generally attended to, but not always. The educational part of the bursary is the least valued, we were told, the attendance on the Latin class being rather a penalty than a privilege attached to it.'*

The case of Dundee seemed to us to call for special inquiry. The bursaries in that town are, for the most part, old foundations, and they are on a scale exceeding what exists elsewhere in Scotland. The Assistant Commissioners visited Dundee in 1868, and they drew attention to the unsatisfactory conditions under which some of these mortifications were administered. Our Assistant Commissioner was accordingly instructed to visit Dundee, and report on the educational endowments existing therein. We refer to the details of his Report† for confirmation of our suspicions as to the wasteful nature of the administration of some of these endowments. As instances, and by no means the worst, of this wastefulness, we may mention the cases of (1.) The Ferguson Endowment, Dundee; (2.) Steven's Mortification; (3.) The Webster Mortification.

Dundee Mortifications.

* Special Reports, p. 28.

† Appendix, Vol. I.

(1.) In the case of the Ferguson Endowment, a fund which now amounts, according to the Report of our Assistant Commissioner, to £150 a year, is employed in educating only two scholars; and the power which was conveyed to the Trustees of sending a boy who was 'capable of learning, or had an inclination to be a scholar, to the University of St. Andrews,' has never been carried out.

(2.) Steven's Mortification was originally destined for the education and maintenance of five young boys. And while, owing to the increase of the endowment, eight are now maintained, the provision enabling the patrons to send to the University of St. Andrews any boy 'capable of learning and fit for college' has only been carried out in one instance since the foundation of the Mortification in 1720. The present annual revenue is about £70.

(3.) The Webster Mortification yields an annual income of £280. The object of the founder was to establish an academy, where 30 boys between twelve and sixteen might be instructed in mathematics, and 35 boys and 35 girls might be instructed in the plainer branches of an English education. The practice has been to send those between twelve and sixteen to attend the mathematical and commercial classes of the High School, and the younger scholars to the Meadowside Academy. Formerly all attended the High School. The full number of bursars has never been admitted on the foundation. The reason given to the Assistant Commissioners in 1868 for not increasing the number was, that there was a difficulty in finding applicants for the present number, while the masters were loud in their complaints that the boys whom they got were often a drag on the rest of the class.*

We subjoin the remarks of our Assistant Commissioner on the administration of the part of the fund which is expended on the Meadowside Academy:—

'The most striking instance of the need of such an examination I found in the case of the Meadowside Academy, which is attended by fifty-two of the Webster bursars. All of these bursars, some fifty years ago, attended the High School; but in consequence of a dispute between the then factor and one of the masters, they were withdrawn. The Meadowside Academy has changed hands three times, and the Webster bursars seemed to have formed part of the consideration. This is to be regretted. The following is a detailed report of the school:—

'MEADOWSIDE ACADEMY.—This is a school for the lower middle-class, where the fees of those who pay range from 5s. to 12s. 6d. a quarter. Mr. Powrie, the head-master, has fifty-two Webster bursars sent to him, for whom he receives £99, 10s. a year. These bursars have been sent to this school for about seventy years. They were first sent to Mr. Macintosh, who conducted the school for fifty years. When Mr. Macintosh died, his heirs sold the goodwill of the school to Mr. Fisher, who, after carrying it on for five years, disposed of it to the present master, Mr.

* Report, p. 49.

Powrie. Thus the right of teaching the Webster bursars has been sold and resold within the last twenty years; and Mr. Powrie himself states, that "the Webster bursars were an item in the consideration." The Webster bursars remain for only two years in general; and it is an open question whether these two years are not an interruption to, instead of being a continuation of, their education.* . . .

'Several peculiar facts came to my knowledge which must be mentioned here. In the highest Arithmetic class, 8 out of the 9 children had come from inspected schools; in the second, 15 out of the 20; and in the lowest, 8 out of the 11.

'A still more striking fact is, that all of these 39 children [*i.e.* the bursars examined] (with six dubious exceptions) had, previous to their becoming Webster bursars, been attending schools where they had paid from 3s. to 10s. 6d. a quarter; 22 of them had been paying 4s. and upwards. It is also significant that many of the bursars, after their right to hold a bursary has ceased, remain in the school *and pay*. I doubt very much whether 12 per cent. of the present bursars really need the money. Evidence on this subject I give in another place.'

Without entering further into particular cases, we quote the following passage from the Report of our Assistant Commissioner, in which he states the conclusion to which his investigations led him:—

'4. The good done by these endowments to the High School—which is the school of the town—seems to be the minimum. A few of them act in the direction of supplementing the salary of some of the masters; and this is a benefit. But I know from these masters themselves that they would much prefer that the bursars should be so selected that their presence would be a stimulus to the class, and raise the intellectual standard. At present the *consensus* of opinion is either that they are nonentities, or they are "a complete drag—a perfect nuisance." Again, there are frequently bursars appointed to the High School who are incapable of benefiting by the instruction given in the classes, and whom the masters, very much against their wishes and interests, are compelled to reject. (It ought to be stated that the factor is always very willing, when the supply of bursars fails, to appoint on the nomination of the masters; but then he cannot deprive of his bursary a pupil who has shown himself unfit, but who has been already nominated.) In the case of the Webster bursaries, for example, the number which the funds enable the trustees to nominate (the factor in most cases seems the active benefactor, and has it in his power to use the nomination as a private benefaction) is 21. But the following have been the numbers since 1862:—16 in 1862; 21 in 1863; 23 in 1864; 17 in 1865; 21 in 1866; 20 in 1867; 16 in 1868; 17 in 1869; 17 in 1870; 19 in 1871; 15 in 1872; 13 in 1873.

Mr. Meiklejohn's remarks.

'5. The really essential defect, however, in the administration of these funds is the total want of publicity. The funds were publicly left, under public conditions; but the too considerate delicacy of the trustees has deprived them of their best guarantee for doing good.

'6. Judging from all the evidence I have been able to collect in different quarters, I am obliged to come to the conclusion that a large part of the Dundee endowments are not doing one-quarter of the good they might do; while a large part is doing positive harm. No fraction, or if any, the very smallest fraction, is operating to raise the standard of

* For detailed report see Appendix, Vol. I.

education for the whole community, and thus to increase the intelligence and thoughtfulness of the town. On the other hand, many persons are in receipt of these bursaries who could do very well without them; and many "deserving" persons are thus excluded from the enjoyment of them.'

Our Secretary thus reports on Grammar-School Bursaries and Miscellaneous Educational Charities at Banff:—

Mr. Laurie's
remarks.

'The majority of the bursaries are, in fact, merely charitable doles to the parents of children, accompanied with the condition that the children must attend a certain school. The patrons, accordingly, have merely the duty of deciding as to the relative claims of applicants on *grounds of poverty*. However desirous they may be to discharge this duty well, it is inevitable that the most urgent solicitors of the bounty will, if they can be at all elassed as needy, be successful. The effect of such solicitation and canvassing on the minds of the applicants, and of expectants generally, must be hurtful. One gentleman said to me that he considered that there was a pervading eleemosynary spirit in Banff in reference to education.

'As it is to be presumed that the donors, by attaching their bursaries to the "Grammar" School, contemplated the giving of higher instruction to the beneficiaries, and that consequently only those would be presented who were worthy of such instruction and capable of benefiting by it, it is a question of leading importance in connection with the administration of the bursaries whether the boys selected are confined to those capable of benefiting by the higher instruction; and whether, after their admission to the school, they are distinguished for their regularity of attendance and their assiduity and success as scholars. I have to report against the administration in both these respects. The boys selected are, in the first instance, sent into the elementary school; nor are any means adopted to secure, on admission, that they are fit to receive the higher instruction. When they have become pupils, they are, in the great majority of cases, negligent, idle, and inferior to the mass of the other pupils: they not only do little good themselves, but help to drag down the classes to which they belong. This is the result of my inquiries. Where such are the characteristics of the pupils, it may fairly be inferred that the parents are remiss in the home duty of supervising their boys, and esteem lightly a benefit with which no merit and no obligations are connected. On the other hand, these remarks cannot apply to *all* the bursars, for I find in a return which I called for that six or seven have, during the past 16 years, taken bursaries at Aberdeen University, and two of these have highly distinguished themselves.

'By way of remedy, I would suggest that the numerous petty bursaries should be rolled into a few, attached to the *Grammar* School, and thrown open to boys coming from the elementary schools of Banff and its vicinity. The argument which is sometimes used—and with effect—against throwing charities open to competition, that in this way the wealthier classes carry off the rewards, as they alone can afford to give their boys the best preliminary training, is not applicable in this case. If a limit of age be fixed, all the boys in all the elementary schools will be at equal advantage. Nor could it be said that by thus confining these bursaries to "poor *scholars*," who would be an honour to the school, and help to maintain its character, the intentions of the donors would not be best fulfilled. As now administered, these so-called bursaries are merely additions to the wages of certain persons,—needy, perhaps, but not more needy than others of their own class.'

The Reports of our Assistant Commissioner, and also of our Secretary, thus corroborate strongly the unfavourable opinion formed by the Assistant Commissioners to the Education (Scotland) Commission, 1864, as to the administration of these school endowments, and fully justify, in our opinion, the Commissioners of 1864 in their approval of the view expressed by their Assistants, to the effect that 'no reform will be worth much which falls short of throwing school bursaries open to competition.' By no smaller measure can the real purposes of such benefactions—the advancement of the deserving, and the improvement of education—be secured. These certainly are not secured now. Under the present administration, education is not improved—is not, indeed, affected at all; the deserving are not advanced; and the really needy (in whose name such abuses are so frequently and so mistakenly supported) are too often postponed to the importunate. These evils would disappear before a system of open competition. A healthy tone of feeling would be introduced; a bursary would be regarded as an honour to be proud of, not as a dole to be ashamed of and kept secret.

Unfavourable opinion as to the administration of these Endowments.

No reform worth much which falls short of throwing them open to competition.

In many of the endowments with which we are at present dealing, a special desire is indicated to advance the poor. Such a desire is, no doubt, to be respected, and so far as possible carried out. But it is not fairly and rightly carried out by permitting trustees, however conscientious, to select at their discretion the recipients of the bounty. This will too often result, as our Secretary and Assistant Commissioner have pointed out, in the success of influence or accident or importunity. Besides, the founders of bursaries of this kind must not be presumed to have desired the advancement of the poor as poor, but only of such as would really profit by the higher education. The true way, therefore, to accomplish the object which the founders must be held to have had in view, is to give a large proportion of these bursaries to be competed for among the children in the Public Schools, the examination to be on subjects taught in these schools. Children not at these schools might be admitted to the competition on their parents satisfying the School Board or other authorities that they could not afford the expenses of education. Social causes would operate to prevent these bursaries being competed for save by those to whom such aid was a matter of importance; and thus preferences to poverty would receive fair and sufficient effect, especially now, when no child is left without the opportunity of obtaining Elementary instruction. If our Assistant Commissioner has rightly gauged the general feeling in Glasgow, the public in that important city are already prepared to take the lead in making such reforms as are here indicated. If the enlightened spirit of Glasgow were to push on a thorough reform of the abuses in her

Feeling in Glasgow on the subject as represented by Mr. Meiklejohn.

own endowments, the other great cities in Scotland would not, we are sure, be long behind her in remedying those which exist within their own precincts. With regard to the feeling in Glasgow, our Assistant Commissioner says:—

‘The general feeling in Glasgow, then, seems to be that the time has arrived for pushing the application of these endowments a step forward; and that, while we must, in compliance with the will of the founders, keep them for the use of the poor, we may so apply them as to benefit a larger mass of individuals than they benefited before, and to benefit them in a higher degree.’

There is a class of bursaries, attached mainly to the larger Burgh Schools, for the purpose of sending boys to the Universities. These are not numerous, are mostly given by competition, and, in the opinion of the Assistant Commissioners, 1864 (from which we see no reason to dissent), ‘have proved of undoubted service in promoting the education of deserving students.’

Advantages to
be anticipated
from the insti-
tution of Bur-
sary Scheme.

The organization of a system of open bursaries from the Elementary to the Secondary Schools, and then onwards through the course of Secondary instruction, would prove, we are persuaded, a gain to the community which it is difficult to estimate too highly, and to no section of the community more than to the able and hard-working poor. The funds available for this object are greater than is commonly supposed, as may be seen by a perusal of the Appendix to this Report, Vol. II., especially now that the Education Act has left trustees more free than formerly to consider the claims of Higher instruction in disposing of the funds in their possession. By means of such a system, a succession of meritorious scholars, many of them from the very poorest classes, would be drafted year by year from the Elementary Schools, through the Secondary, to the Universities. The bursaries being all open to competition, would be regarded as the great prizes connected with the Public Schools. They would stimulate the education of the whole of Scotland in the same manner as, but to a much greater extent than, the bursary competition at the Aberdeen University stimulates the education of the three north-eastern counties.

VII.—GENERAL ENDOWMENTS.*

UNDER the name 'General Endowments' we include all those not appropriated to any particular institution. Some of these are confined to certain counties or parishes; others are free from local restriction.

Of the former, the best known and most important is the Dick Bequest.†

The purpose of the testator, James Dick, Esq., who died in 1828, was 'to add to the present very trifling salaries' of the parish schoolmasters in his native county, Moray, and in the neighbouring counties, Banff and Aberdeen.

But he expressly laid down rules that this should be done so as 'not in any manner to relieve the heritors or other persons from their legal obligations to support parochial schoolmasters, or to diminish the extent of such support;' and 'in such manner as shall seem most likely to encourage active schoolmasters, and gradually to elevate the literary character of the parochial schoolmasters and schools.' And more particularly he desired his Trustees 'to pay great attention to the qualifications and diligence of the several parochial schoolmasters for and in superintending the education of students in King's and Marischal Colleges during the intervals between the sessions thereof, and for and in preparing youths for the said Colleges.'

This purpose and these injunctions of the founder, his Trustees have kept steadily in view, with great success. The average total remuneration of the parish schoolmasters who share in the Bequest has increased from £55, 12s. 4d. in 1833, to £134, 0s. 4d. from local sources, or including Parliamentary grants to £156, in 1873. The average accommodation of their houses also has been enlarged, at the expense of the heritors, from three rooms to six. This enables some of them further to add to their emoluments by receiving boarders from the towns, who are trained in the parish schools to the age of 15 or 16, and are then sent direct to the University. With such advantages, the general standard of attainments and efficiency has been raised higher among the teachers of elementary schools in these three north-eastern counties than in the rest of Scotland.‡ They are all University men, and, with very few exceptions, graduates in

* For a concise statement of these various Bequests, see Appendix, Vol. I. Evidence, 8170-8253.

† *ib.* 273.

Arts; a considerable proportion of them also are licentiates in Theology; and the qualification required for sharing in this Bequest is said to be higher than the M.A. degree of Aberdeen. Her Majesty's Inspector of Schools for the district, Mr. Kerr, being asked, 'Do you think the effect of the (Dick and Milne) bequests has been to provide for these counties teachers of a higher standard of educational acquirements?' replies, 'There is nothing more certain than that. Out of the 150 teachers in Aberdeen, Banff, and Moray, at least 130 are Masters of Arts. You will find that nowhere else in Scotland. . . . Elsewhere in Scotland you will not find one in fifty.'*

The literary character of the schools, too, has been raised. 'There are comparatively few schools,' says Mr. Kerr, 'in Aberdeen, Banff, and Moray, in which the higher branches are not well taught. Latin is taught in almost all; Greek in a considerable number, and in some very well; and the parish schoolmaster does, in point of fact, train his boys up to the point of going straight to the University. In many cases the boy takes a quarter or half a year in the Old Town Grammar School or in the New Town Grammar School, to give point and direction to his work before entering on the bursary competition in Aberdeen; but a great many go straight from the Parish School to the University, and carry off bursaries. At all events the foundation, the solid work, has been done in the Parish School.'

There has been a marked increase in the proportion of pupils learning the higher branches. Since 1833 the percentage of those learning Latin has risen from 4·6 to 7·6; Greek, 0·7 to 1·5; Mathematics, 2·6 to 4·5; and French, which forty years ago was hardly taught at all, is now learned by 2·3 per cent. Nor does this higher teaching by parish schoolmasters prevent their giving equal attention to the elementary subjects. 'I believe that was the case,' says Mr. Kerr, 'before Government grants came in; but as a considerable portion of their income depends on the receipt of the Government grant, and as that provides thoroughly for the efficiency of the lower branches, I have no hesitation in saying that the Parish Schools of Aberdeen, Banff, and Moray will, even in the lower branches, compete with any other schools in the country.'

The acknowledged excellence of the schools, especially in the higher subjects, is due no doubt partly to their close connection with the University of Aberdeen, by numerous bursaries, as well as by these graduate teachers. But, without the improved salaries, few graduates would have cared to serve in country parish schools;

* Evidence, 1001-1016.

and without such teachers the bursaries would hardly bring up country lads sufficiently prepared to attend the University classes.

Thus the steady flow of youthful ability from the country schools in this part of Scotland to the University, and from the University to the learned professions, including that of parish school-master, is in great measure owing to the bounty of Mr. Dick, and to the judicious administration of this endowment. 'I do not think any fund,' says Mr. Kerr, 'has done so much good. I know no fund that has produced a shilling's worth for a shilling so fully as the Dick Bequest.'

The annual income is nearly £5000. Of the 156 parish schools of these counties, all but twenty-one take some share, but in amounts varying with the degree in which the teachers satisfy the conditions laid down by the founder. The power which the Trustees exercise under the terms of the trust deed, 'to increase, diminish, or altogether to discontinue the salary or allowance to be from time to time made to all or any,' is found to have an excellent effect in stimulating teachers to attain and to retain the highest rate, not for the mere money value, but as a mark of honourable distinction. The most characteristic feature of the management is the unequal and variable distribution—'That payments are graduated according to merit, and may change every year.'* The lowest amount received by a teacher from the Bequest in 1873 was £23, 8s. 5d., the average £32, 18s. 6d., the highest £49, 12s. 9d.

For further general information as to the principles on which the fund is administered, we refer to the statement drawn up by our Secretary, Mr. S. S. Laurie, who has acted as Visitor since 1856, and to the oral evidence.† But it may be well to invite special attention to certain recent changes in the regulations, adopted with a view to enforce the founder's purpose, under the new conditions of the Education (Scotland) Act, 1872.

As all new public schools will be upon an equal footing with the old parochial schools, the total number of teachers legally qualified to profit by the Dick Bequest will probably be more than doubled.‡ Under these circumstances, lest the ratepayers, who now stand in place of the heritors, should be tempted to avail themselves of this fund to diminish the extent of their support, the Trustees have resolved that no newly-appointed teacher shall receive aid from the Dick Bequest, unless his salary from the School Board (over and above the whole of the school fees) be at least £80, with a house and garden of the value of £10, or money compensation to the same amount. And, from

* Evidence, 979.

† *Ib.* 259-273; 972-1016; 8170-8253.

‡ *Ib.* 8229 and 6748.

this minimum of £80 to a maximum of £105, every increase of salary given by the School Board will strengthen the master's claim for assistance from the fund. Since this regulation was made, there have been thirty changes of incumbency in schools; all have complied with the new minimum requirement as to salary; one school has been discontinued.

Again, since the Education Act has made other provision for paying the fees of poor scholars, and for compelling the attendance of all children of school age, the credit allowed for taking 'gratis scholars' is entirely withdrawn, and the marks for 'number of scholars enrolled' are reduced by 20 per cent., while, on the other hand, the marks for 'scholarship' are increased by 50 per cent., and the marks for 'higher branches' by 200 per cent.

Under the founder's will, the Trustees possess the power thus to adapt their rules to the change of times, and their past administration gives us confidence that they will continue to do so with sound judgment. We may suggest for their consideration, that the rule requiring the whole of the fees to be paid to the schoolmaster should be regarded as open to modification in any case where a School Board may think it right to have a large school, with more than one master, and to give an assistant-master an interest in the fees. Experience of the new Education Act and of the Code in their actual working will point the way to other such adjustments, and to such modifications of the existing rules as may be necessary in order to give full effect to the purposes of the Trust under existing circumstances.

But as regards the general principles on which the Dick Bequest is administered, we have no change to recommend. The income is not more than can be spent with advantage in the counties and in the class of schools for which it was intended. On the contrary, we are of opinion (especially as the number of schools eligible is increasing under the Education Act), that were the fund spread over a larger district,—being divided into smaller sums,—the result would be less satisfactory; and to centralize it in a few schools, set apart for secondary education, would be to depart from the chosen purpose of the founder. As it is, the working of this endowment affords a good example of what might be done for country schools, were means available, in other districts.

Milne Bequest. The Milne Bequest is confined to the single county of Aberdeen, and one parish in Kincardine. The founder, Dr. Milne, President of the Medical Board at Bombay, died in 1841. The net annual income of the Trust will soon exceed £2000.*

* Evidence, 6610-6804.

The objects that Dr. Milne had in view differ but little from those of the Dick Bequest. In similar language he expresses his opinion that 'the pittance of salary in general bestowed on the parish schoolmasters of Scotland' is too small to remunerate competent instructors, and that their situation should be improved, 'because it will induce men of abilities and of education to engage in such a task.' And, in the very words of the Dick Bequest, he declares his will that the income shall always be applied 'in such manner as not in any way to relieve the heritors or other persons from their legal obligation to support parochial schoolmasters, or to diminish the extent of such support.'

But Dr. Milne's Trustees, it seems, are placed at some disadvantage by his having bound them to deal out the fund to the most deserving parish schoolmasters in sums of £20 each. Of 114 schools eligible, 89 receive this sum. On the practical effect of this we think it right to quote the evidence of Mr. Kerr, whose official visits to Aberdeenshire schools give him special opportunities of forming an opinion:—

'983. What is your experience as to the administration of that grant? —I don't think it is nearly so well administered as the Dick Bequest. It is not so stimulative, inasmuch as, if my impression is correct, a man who has once got on to the Milne Bequest may within very wide limits fall considerably short of his best without any danger of losing his grant. I believe that lately they have introduced a very salutary change, viz. cutting off certain teachers who fall below a certain class. This change was introduced some two or three years ago. The teachers are divided into five or six classes, and those who fall below a certain class were two or three years ago cut off. That has had a very salutary effect. Another important change is, that while election to the bequest was very much a matter of canvassing till lately, they have introduced the custom of putting the non-participating teachers—those who are not yet on the bequest—in the order of merit, and transferring these to the vacancies created by death in the participating list. So that you have, to begin with, a certain stimulus to the teacher to rise as high as possible on the list of the non-participating, that he may receive the bequest as soon as a vacancy occurs. But my impression still is, that a Milne Bequest teacher, having once got it, may be tolerably content to do very much below his best, and yet be sure of his money. It would certainly be an improvement to graduate the payment, as in the case of the Dick Bequest.'

The Milne Trustees, however, have not power, as the Dick Trustees have, to graduate the allowance, but only to give or not give £20. Under an invariable rule of equal distribution, they can neither recognise, by larger grants, a higher degree of merit, nor mark their sense of negligence and falling off by any penalty short of entirely withdrawing the grant, which has been done in only three cases of 'gross inefficiency.' We recommend that this restriction should be removed.

Every teacher receiving the £20 is bound, in return, 'to educate, without fee, twenty-five poor children who could not otherwise provide the means of paying for their education;' and, in fact, hitherto a somewhat larger number have been so instructed without fees.

But, under the new Education Act, it is a duty of the Parochial Board to pay the fees for all such poor children, and thus there will be, strictly, none 'who could not otherwise provide the means of paying' for their elementary education.

Under these circumstances, and having regard to Dr. Milne's express instruction 'not to relieve the heritors or other persons from their legal obligation,' the Trustees have resolved to leave the parents or Parochial Boards to pay the fees of poor children for elementary education, and to apply the Bequest only for teaching gratuitously the higher branches. 'Thus,' they say, 'children, who in other circumstances could not have passed beyond the statutory educational requirements, will have the means of acquiring a liberal education placed within their reach. On the other hand, teachers, whom the testator specially desired to benefit, will receive the allowance from the Bequest for teaching gratuitously the higher branches, in addition to the fees collected by the School Boards for the elementary instruction of the pupils. In short, the Bequest will be instrumental in increasing the quantity and quality of the education available to the poor, and in improving the position of schoolmasters, without assuming the duties of those responsible by law, or relieving them of their legal obligations.'

This course of action appears to us consistent with the general purpose of the founder, and with the regulations approved by the Court of Session, directing the selection of teachers to be made partly with respect to 'the extent of the acquirements of the scholars in branches not elementary, and the numbers learning those branches.' To exclude such scholars from gratuitous instruction because it is not elementary, would be to place too narrow a construction on the words 'poor children.' Many who are not too poor to pay for elementary instruction are too poor to pay for higher instruction, which generally implies remaining longer at school. To forego their earnings for another year or two requires an effort on the part of parents which may well be encouraged by remission of the fees. The kirk-sessions, therefore, in whom the trust deed vests the selection, or any other persons made responsible, should admit to the benefits of higher instruction without fees all those children who, in the testator's words, 'could not otherwise provide the means of paying for their education' beyond the elements. Where there are fewer than twenty-

five deserving applicants, the teachers should not be obliged to make up the number; and where there are more than twenty-five, a preference should be given to those who have shown most industry and merit, as reported by the teacher and by the Milne Trust Inspector, and as tested by the standards passed before the Government Inspector. Thus the number in the school will be increased, the fees of the teacher will be augmented, and the standard will be raised both by the prolonged education of those actually selected, and by the stimulus to industry and good conduct in those who aspire to remain longer at school. Emulation of one school with another in Aberdeenshire will be sufficiently kept up by the University bursaries, as well as by the constant comparison which is instituted in the due administration of the Dick and Milne Bequests.

The Philp Bequest* is confined to certain towns and parishes of Fife—namely, Kirkcaldy, Pathhead or Dunnikier (including Sinclairtown and Hauklymuir), Linktown of Abbotshall, and Kinghorn, with a discretionary power of admitting children ‘from other towns and places in the neighbourhood.’ The founder, Robert Philp, Esq. of Edenshead, who died in 1828, left property, the gross income from which now exceeds £3000 a year, for the purpose of educating in these districts ‘that class of children who, from the poverty of their parents or guardians, are the most likely to be deprived of that blessing, the needy always to have the first claim, and care being taken that none who are in circumstances to enable them to procure education to their children shall be admitted to the benefit.’ These children were to be sent to the parish schools, and taught by the parish schoolmasters, if sufficiently qualified. But hitherto the accommodation in the parish schools has been inadequate; and in all the districts (except Kinghorn) the Trustees have built schools, and maintain teachers of their own.

Philp Bequest

The numbers to be admitted from each place were at first limited by the founder; but in 1846, the funds having turned out to be considerably greater than he contemplated, an Act of Parliament was obtained, giving power to augment the number of children, to erect more schoolhouses, to appoint additional teachers, and to increase the salaries of the teachers, which had been limited to £10.

The salaries of the principal teachers now vary from £87, with fees, to £169; and the Clerk to the trust states that ‘a most thorough education is given in the elementary branches;’

* Evidence, 7185-7410.

such that 'many parents would be glad to send their children, and pay fees.' Mr. Philp expressly directed that this should be allowed, if the Governors think fit; but, except the Kinghorn School, where it is allowed, their schools have always been full without such admissions.

As there are no fees, there can be no Parliamentary grant; and there is no Government inspection, nor, indeed, any inspection at all, except that the Governors and managers occasionally visit the schools. The founder, however, having recommended 'examination of the different schools to be as frequently as convenient,' each school is publicly examined once a year, and any one who chooses may attend.

Thus the working of the Bequest at present is to provide for some 600 children (out of a total number of between 3000 and 4000 of a school age in the district) the elementary education which otherwise would be provided by the School Board, together with clothes to the value of 30s. yearly,—a statutory sum which, in practice, is slightly exceeded. No attempt is made to teach the higher branches.

It does not appear that there is any public complaint against this administration of the fund, but some suggestions were made to us for its better application. The Clerk to the trust drew our attention to what he regarded as a violation both of the trust deed and of the Act of Parliament, in the refusal of the Board to 'pay the children, on leaving school, or their parents and guardians for their behoof, a sum between two pounds and five pounds, or whatever more the fund will afford, the better to enable them to begin the world.' At first this was done, and some children received more than £20 each, which probably was beyond the testator's intention. Afterwards the Act of Parliament limited the sum to £5. Now nothing at all is given. To give an equal sum to all, as formerly, or none to any, as now, is alike at variance with the will of the founder, who says that 'children not behaving as they should shall receive nothing at leaving school, or at least less, as the managers shall think proper; those, on the other hand, who distinguish themselves by good conduct and proficiency, to receive more, in proportion to their merit.' Since Mr. Philp has also expressed his opinion that 'the frequent examination of the scholars in all the districts will have a very favourable influence, by exciting in them a spirit of emulation, and it is likely to have a similar effect on the teachers,' these grants might properly be made to depend at least partly on proficiency displayed under examination. If this were done, it might be well to remove the limitation to £5, introduced by Act

of Parliament, the founder having distinctly contemplated larger sums if the funds sufficed. It would be in accordance with his purpose, if not within the letter of the trust deed, to establish bursaries, to be held at the Philp Schools or at other schools, to assist the more industrious and proficient to continue their education, in order 'the better to enable them to begin the world.' Although he directed that the children should be taught 'to read English, writing, and arithmetic,' there is nothing in the deed prohibitory of higher education; indeed, the express permission to remain till they are fifteen years of age seems to imply some more advanced instruction.

It was further suggested to us that some of the funds might be used for higher education in the district, on the ground that elementary education will be provided by the Education Act, and the founder did not contemplate that his funds were to be used simply in lessening the rates in the district, but rather to assist parents who could not otherwise provide education for their children. In the words of the deed, care is to be taken that 'none who are in circumstances to enable them to procure education for their children shall be admitted to the benefit.' The witness thought that, according to the strict interpretation of these words, 'none are entitled to be educated at the Philp Schools unless those who are certified by the Education Board to be children of parents who must be supported educationally by the Parochial Board.' But if this be the true construction, it should also be borne in mind that such children are in circumstances to procure education from the Parochial Board; and, in strictness, the Parochial Board have no more right to pass them on to the Philp Trustees than the Philp Trustees have to send them back to the Parochial Board.

Having regard to both these considerations, we are of opinion that gratuitous elementary education should be confined to a much smaller number of children than at present, carefully selected by the School Board. It would be showing small respect for the founder's desire to assist poor children, and little gratitude for the past, if the whole of the fund so liberally bestowed by him (producing a larger income than the Milne Bequest, and applicable to a smaller district) should in future go chiefly to relieve the ratepayers from the obligation thrown on other districts by the Education Act, and should provide poor children with no more than the elementary education to which they are by law entitled, and thirty shillings a year for clothes. We therefore recommend that, for the most part, the fees for elementary education of poor children be paid in this district, as else-

where, by the parents or by the Parochial Board, and that at least a good share of the Philp Fund be applied to their higher education.

We were assured that 'the Governors as a body would be very much inclined to do what they could to promote education of a higher class in Kirkcaldy;' and it was suggested to us that it would be well if a grant could be made from the fund towards the salary of a technical teacher to take evening classes. It appeared, however, that such classes in Kirkcaldy have not hitherto been successful. As between this and other forms of higher education, the Governors, four of whom are also members of the School Board, have good opportunities to judge what is best. But we are decidedly of opinion that something more than mere elementary education should be undertaken. Funds for this might be obtained at once by limiting the numbers who receive gratuitous education and clothing, and applying the money so economized in bursaries, to enable the more promising boys to continue their studies. The schools and teachers might forthwith be transferred to the School Boards, the poor children being still sent to them at the expense of the Philp Trust. This would be in accordance with the original intention of the founder, who expressly appoints 'the children to be sent to the respective parish schools situated within the district where they reside, and taught by the parish schoolmaster of the foresaid places, if he is a person sufficiently qualified.' Mr. Philp further directs that, if the managers appoint teachers of their own, and consider that they are able to teach a greater number of scholars than those they may have occasion to teach under the trust, they are 'to teach other scholars, to be paid for in the usual way by their parents or guardians.' We are of opinion that it would be well for the poor children thus to mix with others paying fees. The distinctive dress might be discontinued. The schools would come under Government inspection, and would receive a Parliamentary grant in proportion to the fees paid and the efficiency of the teaching. The Trustees might give a grant in aid of the teacher's salary, and might lay down rules (as in the case of the Dick and Milne Trusts) that it should be in addition to a proper salary to be provided by the School Board, and in respect of poor children receiving chiefly higher education. Some such arrangement, under the present powers of the Trustees, would at once give more effect to the founder's intentions, and add greatly to the usefulness of the trust, which, as at present administered, is not producing results in proportion to the income.

But we are disposed to recommend a further change, which requires the assistance of the Legislature. Of the present annual

expenditure, somewhat less than £1000 is applied for teachers' salaries, and somewhat more than £1000 for clothing. Of the former sum, £500 might be reserved by the Trustees in aid of the salaries of the teachers of elementary schools in the original parishes, to be paid to them in respect of poor children receiving instruction in the higher subjects taught there. Another £500 might be reserved for teachers in a higher school at Kirkcaldy, in respect of children from the same districts reported to be qualified to profit by prolonging their education. If power were obtained to discontinue the clothing, this would leave a further amount of about £1000 available, which might be applied to encourage by bursaries the higher education (at Kirkcaldy, or under competent teachers elsewhere) of children who have passed the sixth standard, both from these districts and, in the words of the trust deed, 'from other towns or places in the neighbourhood, at the discretion of the governors and managers.' Or the same sum might be spent in aiding more directly the salaries of the best teachers in the country schools. Thus the Philp Bequest might provide for Fifeshire some of those advantages which the north-eastern counties derive from the Dick and Milne Bequests.

If any new powers are given to the Philp Trustees, it would be well to include feuing powers, which would increase the value of their estate.

The Ferguson Bequest,* which we have next to mention, is confined, 'in the first instance,' to the south-western counties, Ayr, Kirkcudbright, Wigtown, Lanark, Renfrew, and Dumbarton,† —a district including Glasgow, and containing a population by the last census of 1,322,641, or considerably more than one-third of the population of Scotland. The Trustees have power 'thereafter' to extend the application to other counties in Scotland.

The founder, Mr. John Ferguson of Irvine, Ayrshire, who died in 1856, left to public purposes in all a sum approaching half-a-million pounds sterling. Among other legacies, one of £50,000 was for such charitable, educational, and benevolent societies and institutions as his Trustees should select. In the exercise of this discretion, they have applied about £14,000 for the encouragement of higher learning in Scotland, by the institution of the Ferguson Scholarships, but with power reserved to appropriate the money otherwise if the scheme does not succeed.‡ These scholarships are six in number, of the value of £80 each, and held for two years. One is given by competition annually

* This, being a 'General,' as well as a 'Mixed Bequest,' can be dealt with most conveniently in the present chapter.

† Evidence, 6935-7184.

‡ *Ib.* 6956-59, and 7073-81.

for classics, one for mathematics, and one for mental philosophy, including logic, metaphysics, and ethics. Their effect in promoting and rewarding a high standard of attainment in these studies has been most satisfactory.

The residue of the estate, amounting to £375,857, 1s. 6d., forms the Ferguson Bequest Fund.

The annual income of this fund, about £16,000, is applicable, in the counties already named, 'towards the maintenance and promotion of religious ordinances, and education, and missionary operations.'

The means to this end are to be, payments for the erection or support of churches and schools; or in supplement of the stipends of ministers; or towards salaries of religious missionaries and of teachers of schools; or towards forming and maintaining public libraries. But the churches and schools and ministers must belong to or be in connection with the Established, the Free, the United Presbyterian, the Reformed Presbyterian, or the Congregational or Independent Church; and the missionaries, schools, and libraries must be under the superintendence or management of members in full communion with one or other of the said five Churches. Parish churches and parish schools are excluded, as being otherwise supported. The Trustees represent the five Churches in the following proportions:—

Three, Established Church.

Four, Free Church.

Four, United Presbyterian.

One, Reformed.

One, Congregational.

The present Trustees are all laymen.

This Bequest is only in part educational; and the portion applicable to promotion of religious ordinances and missionary operations, by church-building, supplementing the stipends of ministers, and paying the salaries of missionaries, is outside the limits of our inquiry. Libraries have been regarded by the Trustees as educational. In endeavouring to ascertain what part of this large fund may be supposed to be within the scope of our Commission, we are met with the difficulty that the testator has left this undefined, 'declaring that the application and appropriation of the trust funds should be entirely at the option and discretion of the quorum of his said Trustees as to the proportions thereof to be applied to the said several objects.' Nor have the Trustees permanently appropriated any portion of the income. Their Secretary considered that 'if they had given £5 a year to education, they would be quite within their discretionary power;' and

it follows that they would be acting equally within their powers if they gave £5 a year to religious ordinances and missionary operations. Practically they have given about four-fifths of the income to Church and missionary purposes, and about one-fifth to education and libraries. At first a larger share—in one year as much as £3650—was given to education, the policy being to provide good schoolhouses; but for the last three years, in anticipation of a School Act, they have not aided in building a single school. Last year the expenditure for education was only £2600, entirely in aid of salaries, for libraries £118, and for religious objects £13,050. The Trustees, at their annual meetings, have hitherto given to applications for aid to ministers' stipends and missionary salaries a certain priority over applications in behalf of schools. For this preference they assigned two reasons. 'Most of the original Trustees knew from Mr. Ferguson personally that it was chiefly the aiding of ministers that he had in view;' and 'they considered it more likely that attention would be paid otherwise to education generally than to the other objects.'

It appears, however, that they consider themselves perfectly free, in altered circumstances, to take an altered view, and to assign larger or smaller sums, accordingly, to the several purposes of the trust. The distribution hitherto seems to have been in great measure determined by the number of applicants. In the case of libraries, grants were made to all who would comply with certain rules,—that a good bookcase and a paid librarian should be provided; that a sum equal to the grant should be spent on books from local funds; and that the constitution of the library should provide for its being under the management of members of certain Churches. This last limitation, imposed by the founder's will, has been found in practice entirely to exclude applications from Glasgow, Paisley, Greenock, and all the other large towns. Denominational libraries did not exist; and a grant of £5 or £10 a year was not enough to induce any but the poorer places to found such institutions. The total number called into being in fifteen years, by an expenditure of £1857, is about fifty. The grants for building schools have been chiefly in the country; but of the grants in aid of salary a fair proportion has been given to schoolmasters in the towns. The policy of the Trustees of late has been to supplement the smaller salaries; and when, from other sources, a teacher's remuneration reached a certain sum (latterly in Glasgow £120, and a less sum in country districts), the aid from the Ferguson Bequest ceased. They have made grants in Glasgow to evening schools, but they have taken no initiative means to discover the localities in

which such aid might be most useful. In the words of their Secretary, 'the Trustees have aided all applicants, but have done nothing more.' The grants have been chiefly in sums of £10. It has been the practice of the Trustees always to recommend Government inspection, and if the Government Inspector should report badly of a school, to reduce or withdraw the grant. An annual account is made up of the distribution of the fund, and circulated among the Trustees; but since 1864 no report has been published, nor is it their intention to publish any until they shall have seen the operation of the Education Act. They look forward to taking this into consideration during the winter of 1874-75. It is evident that there must be a very considerable change in their policy. Of 243 schools receiving aid, fully 100 had been transferred to School Boards, or closed, before October 1873. The Trustees hold that public schools take the place of parish schools, which were excluded by Mr. Ferguson's will, as being otherwise provided for. Indeed, it appears that they have decided, unless in very exceptional cases, not to continue aid to elementary schools at all, lest they should interfere with the Education Act, by maintaining a class of schools antagonistic to it.

Thus their past educational policy is drawing to a close, and their new policy they have yet to consider. Their Secretary, Mr. Tait, placed in our hands a paper of suggestions, which had been read to the Trustees, but had not as yet been considered by them. It appeared to him that grants may properly be applied, —(1.) as hitherto (but throughout Scotland), in aiding teachers of elementary denominational schools not transferred to School Boards; (2.) in aiding teachers of schools for teaching the higher branches, provided they be under denominational management; (3.) in aiding teachers of the normal or training schools, which are likely to be conducted as hitherto by the Established Church and the Free Church. He holds that both in the normal and superior schools much good can be done by the trust, but that, in order to qualify public higher schools to receive the grants, it would be necessary to create a denominational management.

The Ferguson Trustees, we think, did well, sixteen years ago, when there was no sufficient provision for elementary education, in deciding to take up that department, and to help first the smaller and less wealthy schools. They are doing well now in withdrawing this aid, because other aid will be provided, and continued grants from this fund would tend to delay the transference of denominational schools to School Boards, which it is the policy of the Education Act rather to promote. This seems to

be a valid objection to Mr. Tait's first suggestion to aid denominational elementary schools in other counties.

We approve of the proposal to supplement the salaries of teachers in the higher schools. Nowhere is such help more needed; no other part of the educational system of Scotland suffers so much from want of liberal endowment. But we cannot think it desirable that these higher schools should be placed under denominational management, for no other reason than to qualify them to receive aid from a denominational fund. So far as such an arrangement had any reality, it would tend to create embarrassments; so far as it might be fictitious, it would be unworthy of adoption. Public school authorities, however needy, could not with decency resort to such means of obtaining aid. And to begin encouraging denominational as against public higher schools, would be liable to even more objection than to continue the old policy of aid to denominational elementary schools, which the Trustees seem inclined to abandon.

It need hardly be observed, that similar objections apply to fostering denominational libraries.

How can these difficulties, arising from the nature of the trust deed, be removed? We think there is an obvious answer. Public authority can be invoked so far to relax the letter of the deed as to allow of aid being given, at the discretion of the Trustees, not to churches and missions, nor even to schools, of forbidden denominations, but to schools or libraries, which, in compliance with public policy or common usage, are divested of all denominational character.

It may be objected, no doubt, that the trust deed is recent, and expressly denominational. But to such objections it may be replied that, twenty years having elapsed since the founder's death, there has been a change in the whole system of school management, which would presumably have altered his views as it has altered those of his trustees; that his own inclination, as manifested by the admission of five Churches to share his bounty, was rather towards comprehension than towards exclusion; that the members of other Churches, or of no Church, in any School Board in Scotland, will be but an inconsiderable minority as compared with the members of the five Churches approved; and above all, that his own Trustees, being themselves a strictly denominational body, with denominational succession after his own mind, would still retain absolute discretion to withhold assistance from any public school or library whose management at any time may not obtain their free approval.

These considerations, of course, would not justify the Trustees

in departing from the letter of the trust deed as it stands, but would amply warrant them, we think, in applying to any executive authority duly empowered by the Legislature for the requisite enlargement of their discretion. This proposal has not yet been considered by the Trustees as a body, but those who conferred with us saw no objection to additional powers being given, leaving it to the discretion of the Trustees to exercise them.

Supposing this to be done, ample scope will easily be found, even within the limit of the six counties, for spending a larger sum than has hitherto been applied from this trust to purposes of education.

The Trustees are not bound to wait, as they have done, for applications, and distribute their aid in small grants to most of those who apply. Such a method was perhaps convenient in dealing with the poorer and more numerous elementary schools; but if they undertake to augment the salaries of higher teachers, the sum appropriated to each school should be much larger, and in the choice of schools to receive aid the Trustees themselves should take a vigorous initiative.

The oldest higher schools of the counties which Mr. Ferguson wished first to benefit at present depend almost entirely on fees. Ayr Academy has only £230 a year; Lanark Burgh School has £40 from the town, and no other endowment; Renfrew Grammar School, £141; Dumbarton Burgh Academy, £100 from the town, no other endowment; Kirkcudbright Academy, £195 from the town. Wigtownshire seems never to have had a higher school, until one was founded quite recently near Newton-Stewart. At Irvine (where Mr. Ferguson resided), the Academy was well endowed with lands by James VI., but the revenues have disappeared, and there is now only £115 a year from the burgh. King James' Grammar School at Paisley was similarly endowed with lands, on which part of the town is built, the Town Council paying to the school only the original annual value, 300 pounds Scots. Kilmarnock Academy has no endowment whatsoever.

As a general rule, one condition of giving aid should be that an equal sum should be locally contributed. By insisting on this and on adequate fees, and by making liberal grants, the Ferguson Trustees might do much for the promotion of higher education, which they would be free to assist in public schools, the denominational restriction being once removed, entirely at their own discretion. We trust that, under these circumstances, they would see their way to devoting in future to education, or, at all events, to education and libraries jointly, a much larger proportion than

one-fifth, as hitherto, of their total income. Without forgetting that under the terms of the trust deed a large discretion is allowed to them on this point, we may express an opinion that the equitable claims of education are strong for a third part of the income. But even five thousand a year from the Ferguson Bequest, met by five thousand a year from local sources, and economically and judiciously administered, would suffice so to equip the burgh schools throughout these counties, that they should afford as good an example of higher education in towns as the Aberdeenshire schools furnish of elementary and higher education in rural districts.

The largest fund in Scotland applicable to educational purposes generally, that is, without restriction to any particular institution or locality, is that of the Society for Propagating Christian Knowledge.*

Society for
Propagating
Christian
Knowledge.

Their total property may be valued at about £200,000, accumulated, since their incorporation in 1709, from subscriptions, donations, and legacies, and greatly increased by judicious investments in land. Their annual income is about £6000. Except a few hundred pounds a year, appropriated by the donors to particular schools or churches, the whole of this revenue and capital is at the disposal of the Society, under the terms of their letters patent.

Under the first letters from Queen Anne, the funds are applicable 'towards the farther promoting of Christian knowledge, and the increase of piety and virtue within Scotland, especially in the Highlands, islands, and remote corners thereof, where error, idolatry, superstition, and ignorance do mostly abound, by reason of the largeness of parishes and scarcity of schools;' and 'for propagating the same in popish and infidel parts of the world.' To this end power is given 'to erect and maintain schools to teach to read, especially the Holy Scriptures, and other good and pious books; as also to teach writing, arithmetic, and such degree of knowledge, and to use such means for instructing the people in the Christian Reformed religion as may be competent.'

The funds were not to be accumulated beyond what would afford an income of £2000 a year. But in 1738, by second letters patent, this restriction was removed, and the Society was also further empowered 'to cause such of the children as they shall think fit to be instructed and bred up to husbandry, house-

* Evidence, 8390-8537.

wifery, or in trades and manufactures, or such like manual occupations as the Society shall think proper.'

The Society has never erected any schools, but maintains or helps to maintain ordinary schools, mostly built by the proprietors, to the number at present of 180, and, under the second letters patent, 79 sewing schools. Almost all these schools are in the Highlands. Between £4000 and £5000 a year is spent on education of children, and between £700 and £800 on the teaching of adults, by missions and *quoad sacra* churches. The missions were much more numerous before the Disruption in 1843, when many of the missionaries and the people of their Highland districts joined the Free Church.

The Directors feel that the new Education Act has totally altered the position of the Society. Of their 180 schools, many have already been transferred or superseded. Wherever the schools either are, or, in the opinion of the Society, ought to be taken upon the rates, they mean to withdraw the grants. And as the more necessitous Highland districts, in which their schools are chiefly to be found, can obtain extra Government grants by placing them upon the rates, they do not doubt that this policy will relieve them very much, and liberate their funds for other purposes.

What these purposes should be, is a question to which the Society have given some consideration, but which, awaiting experience of the new Education Act, they have not finally decided. But, among the strictly educational objects that they have in view, are the following:—

1. To inspect, encourage, and improve the teaching of religion in schools.
2. To extend and multiply industrial female schools, where girls may learn not only sewing, but cooking, washing, and general housewifery.
3. To employ 'occasional' teachers in the smaller hamlets, where there may chance to be at any time a sufficient number of children of school age.
4. To continue the provision hitherto made for superannuated teachers of the Society, male and female.

The first of these intentions is under consideration as one of great importance, and has assumed a somewhat definite shape. The proposal is, that the Society should undertake to inspect and examine all rate schools that choose to affiliate themselves, in the Highlands, and it may be also in the Lowlands, and to give grants on the principle of the Dick Bequest, varying in amount accord-

ing to merit in religious teaching. That such a procedure is in accordance with the Charters of the Society, there can be no doubt. On its practicability and usefulness, as compared with other modes of employing the funds, it is not easy to express an opinion until the project be further developed. But one obstacle meets it at the outset, which ought to be removed.

At the Disruption, in 1843, a majority of the Directors became Free Churchmen, and wished to retain in the service of the Society those teachers who, like themselves, had left the Established Church.

The question, whether this was within their power, was tried in the Court of Session, and in 1846 judgment was given to the effect that grants could not be made to any teacher who did not belong to the Church of Scotland as by law established. Since that time, by the Parochial Schools Act of 1861, parish teachers have been relieved from the necessity of belonging to the Established Church; and by the Education (Scotland) Act, 1872, the appointment of teachers in rate schools has been vested in School Boards popularly elected; so that in Highland districts, where the Society hitherto has been most active, and where the Established Church is often in a minority, it is probable that many of the teachers of public schools will belong to the Free Church. But, notwithstanding the passing of these Acts, the Directors, on taking counsel's opinion recently, have been advised that they still can only give their grants to schools where the masters are members of the Established Church: should the successor in any case be a Free Churchman, the grant must be withdrawn. It seems hardly necessary to support by argument the recommendation which we have to make, that this restriction should be removed, at least so far as regards the schools by law supported from the rates. And we are of opinion that the Directors, as they seem to desire, should be equally free in selecting teachers for industrial schools and for 'occasional' schools. Both of these, if efficiently conducted, can hardly fail to be useful in the districts for which they are intended.

Indeed, there is much to be said against a hasty withdrawal of the aid of the Society from the general education of the remoter parts of the country. How much such assistance was needed there is fully set forth in the Report of the Assistant Commissioners to the Education (Scotland) Commission, published in 1868, on the Highland Districts. Special provision was made in the Education (Scotland) Act to meet their case, but the Board of Education for Scotland, in their First Report (1874), point out that this is insufficient. After quoting statistics from the detailed report of Professor Ramsay, they say:—

‘It is thus evident that in a large number of parishes in the Highlands and Islands the burden imposed by the Education Aet is most oppressive, and that, unless exeptional arrangements be made in their favour, it will be impossible for the School Boards to carry out the provisions of the Education Aet in their integrity, or to provide a sufficient amount of accomodation in public schools available for all the children of school age resident in the parish for whose education efficient and suitable provision is not otherwise made.’

Much more will this be impossible if great part of the present provision be suddenly withdrawn. So that, even if the Society should decide to devote their efforts specially to the promotion of religious education, we consider that under their original charter they will be bound to distribute their funds, for the present at all events, with special regard to the necessities of general as well as religious education in the Highlands and Islands, before expending any considerable amount upon religious inspection in the wealthier districts of the Lowlands.*

Church of
Scotland
Education
Committee.

The Education Committee of the Church of Scotland was formed in 1824, to supplement the work of the Society for Propagating Christian Knowledge and the Parochial System. It has under its charge the Training Colleges of the Church. The schools under its charge, which numbered 305, are gradually decreasing in number. The revenue of the Committee, being almost all annually subscribed, does not fall under our cognizance. The capitalized Funds, exclusive of buildings connected with the Training Colleges, amounted in 1872 to £10,127, the interest of which is reserved for the maintenance of the Training Colleges. The Committee also holds a grant from the Bell Trustees, amounting to £4705 Government Stock.

Free Church
Education
Committee.

The Education Committee of the Free Church have capitalized £9800 of their legacies and subscriptions, and they have also the distribution of the proceeds from £7000 made over to the General Trustees of the Free Church by the late Mr. D. M'Laren of Callander, to be invested, and the annual interest alone used ‘for the benefit and aid of the Scheme of the Free Church of Scotland for increasing the means of education and religious instruction, particularly in the Highlands and Islands.’ The income from this investment is paid, in sums varying from £5 to £15, to ‘deserving schoolmasters in rural districts.’ The Free Church Trustees also administer a sum of £14,000, gifted and bequeathed by Mr. M'Laren, to be applied in aid of rural schools and students at colleges in connection with the Free Church.

* Evidence, 8523.

Regarding these funds of the two Churches, we think it unnecessary to do more than place on record their amount and their present application.

The last general Bequest we have to mention is a sum, now Maclean
Bequest. amounting to £18,000, left in 1859 by Lieutenant-Colonel Maclean of Millport, Cumbræ, 'for the education of poor and deserving boys of the name of Maclean or Maclaine, of legitimate birth.' Each boy is to receive a Bible and £3 a year, for seven years, for his education in reading, writing, and arithmetic. The best boy each year is to receive a bursary of £25 for four years, 'to enable him to prosecute his studies at any one of the Scottish Universities, and to qualify himself for a learned or scientific profession.' By a codicil, the testator ordains that 'boys only who spell their name Maclean, and not Maclaine,' shall be admitted, and directs that the surplus revenue shall accumulate for building a church in Glasgow. The money is to remain invested in consols till the year 1874, when, according to a delusion of the testator, the Government would be bound to buy consols at par.

There are on the list at present twenty-five boys who spell their name as required. As they are spread over all parts of Scotland, it is found impossible to ascertain whether they are actually educated, but the fee is paid by the Trustees usually to the schoolmaster, and the balance of the £3 to the parent. The applicants are not numerous. It does not appear that any bursary has yet been given.

Evidently a fund so administered is in danger of running to waste. In attempting to suggest any improved application, we are met by the difficulty that if name preferences (as we elsewhere recommend) were abolished, there would remain nothing of the testator's purpose except the education of poor and deserving boys. Perhaps the best way of still giving effect to his goodwill towards his own name would be to localize the endowment where there are most Macleans, namely, in North Argyllshire, including Mull. At Oban, for instance, if a local effort were made to provide a higher school, the Maclean Trustees might do much to ensure liberal remuneration to the masters, by undertaking to pay the fees for a certain number of deserving and industrious lads who could not otherwise obtain so good an education. Thus it would become practicable to make the continuance of the payment, as the testator directs, dependent on their satisfactory progress in their studies, and there would be a fair prospect that out of the whole number one boy (possibly a Maclean, spelling his name so) might each year be found capable

of prosecuting his studies at the University, and therefore entitled to receive the £25 bursary. As the fund is at present administered, it can hardly be expected that any boy will be found qualified.

If the Maclean Bequest were localized, as we have proposed, the present Trustees—the Magistrates of Glasgow—might be empowered to delegate the management, or to hand over the Trusteeship, to a local body.

Two other Bequests,—the Bell Residue Fund and the Burnett Treatise Fund,—though not strictly General Endowments, may most conveniently be mentioned here.

Bell Bequest.

The trustees of Dr. Andrew Bell, the well-known founder of the Madras College and many other schools in Scotland, have in their hands a residue amounting to about £18,000.* Dr. Bell directed that this should be applied ‘to the maintaining, carrying forward, and following up the system of education which he considered to have been introduced by him, according to circumstances and occasion, and the existing state of things;’ and he gave his trustees ‘ample power to interpret his will in the most liberal manner consistent with his views and objects,’ and declared that ‘their decision in all matters shall be final and conclusive, without reference or appeal to any tribunal whatever.’

The trustees have already given away large sums to different schools, bestowed in different ways, but they have still to dispose of £18,000. The income from this sum, amounting to about £600, has been applied of late in small grants to schools in Orkney and Shetland and in the Highlands, where local efforts were made, and where there was poverty and destitution; also in grants to female teachers employed by the Education Committee of the Church of Scotland.

But the trustees are now of opinion that, owing to the legal provision made under the Education Act, there will be no further occasion for such grants, and therefore they made known to us their inclination to devote a part of their funds to endow a chair of Education in one of the Universities of Scotland. This they considered they had power to do of their own motion, but they desired to obtain some Parliamentary sanction and recognition of their proceedings.

They suggested that ‘the course of instruction might embrace, first, the history of education; secondly, its principles; and thirdly, the methods of school organization, of discipline, and instruction. And the Professor might, in connection with the last

* Evidence, 8538–8584.

branch, specially advert to the Madras system of education, and the aim and intention of Dr. Bell in devising and promoting it.'

The class, they expected, would consist of persons preparing themselves to take up the profession of teachers. Under the new Education Act, the number of such students resorting to the Universities will probably be increased, and they might be placed under the special supervision of the Professor of Education, who would illustrate his lectures, and train or test his pupils, by teaching in Normal or other schools, such as the Madras College at St. Andrews.

Both Edinburgh and St. Andrews being desirous to accept the proposed endowment, the trustees afterwards applied to the Treasury for such a grant in aid as might make their funds sufficient for the establishment of a chair at each of the two Universities. In order to avoid causing delay, we thought it right to intimate to the trustees, for the information of Government, that we had not considered the question of the foundation of chairs of Education, but that we could say at once that we saw no prospect of being able to recommend the application of any funds towards such foundations in addition to the funds which the Bell Trustees were prepared to provide.

Since receiving this communication from us, the Bell Trustees have appropriated the fund to the foundation of the two chairs.

The Burnett Treatise Fund is an instance of a bequest fulfilling the testator's purpose, and open to no objection in other respects, but the amount of which has grown out of all proportion to the original design. Burnett
Bequest.

Mr. John Burnett, merchant in Aberdeen, left the estate of Kinnadie to trustees, directing that two-thirds of the free rents should be applied for the sick and aged poor of Aberdeen; or if they were otherwise provided for by legal assessment, then to the infirmary of Aberdeen. The remaining third, with accruing interest, was to be invested for forty years, at the end of which time the accumulated fund was to be applied in two premiums, for the best and second best treatises (under conditions prescribed in the will) on the existence and attributes of the Deity. This accumulation and appropriation of one-third part of the rents was to be repeated every forty years for ever.

By a decision of the Court of Session, the two-thirds are now paid annually to the infirmary. The accumulations of the one-third were awarded as prizes, first in 1814, and again in 1854, with strict attention to the testator's directions. On the latter occasion, no fewer than 208 essays were given in for

competition. The first premium of £1800 was awarded by the judges to a treatise by the Rev. Robert Anchor Thompson, M.A., and the second premium of £680 to one by Principal Tulloch of St. Andrews.

The factor for the Trust, who is also a trustee, writes as follows :—

‘If no other application of the Fund can be authorized by Parliament or by the Court before the expiry of the next period in 1894, the amount of the two premiums will be very greatly larger than in 1854, when, as the judges took occasion to notice, they were above the value of any other literary prize in Europe.

‘Speaking for myself only, I venture to express my opinion that a fund of such magnitude may be more beneficially applied to carry out the main design and objects of the testator than in the way prescribed in his deed. The eminent men (Professor Baden Powell, Mr. Isaac Taylor, and Mr. Henry Rogers) who acted as judges at the last competition in 1854, took occasion to express in writing the conclusion to which they had come of the necessity for some change in this respect before the arrival of another period; and they stated very strong reasons in support of this view.’

In August 1872, at the end of the eighteenth year of the third period of forty years, the accumulations already amounted to nearly £3000, and the free income of the year was £242, 15s. 5d., from which it would seem that the amount available in 1894 for the two prizes may probably exceed £10,000.

This sum being manifestly larger than should be given in two prizes, as on former occasions, we recommend that the Trustees should be empowered, without delay, to submit to some executive body duly authorized a scheme for the better application of the Fund. The amount of the premiums for which the founder has prescribed conditions might be reasonably limited, the intervals of time might be somewhat shortened, and minor prizes might be established, to be given from time to time as the fund might afford for the encouragement of special studies in natural theology, or in kindred subjects, such as the history of natural theology, the history of religion, Church history, or biblical criticism. It would be due to the liberal intentions of the founder that these prizes should be open to competitors from all quarters, as far as possible on equal terms.

VIII.—MIXED ENDOWMENTS—PARTLY CHARITABLE.

It has been stated in the introduction to this Report, that besides the endowments which are specially destined to purposes of education, and which form the immediate subject of our inquiries, there are others of a mixed character which, by the original destination of the donors, were to be applied in part to charitable objects and in part to education, such as the funds of Hutcheson's Hospital in Glasgow, the Hutton Bequest, Caerlaverock, the Burnett Bequest, Saltoun, and others. There are also some which, though not expressly destined for education, have been partially or wholly applied to this purpose by the action of the trustees, such as the Hospital foundations in the burgh of Stirling. There are others, again, to which our attention has been specially invited, which were charitable in their origin, but which, in the opinion of some of those who have given in the returns, or who have given evidence before this Commission, are wasted or harmful, and which might be more serviceable to the community if applied to education. Of this class the most important are the Guildry funds of the burgh of Aberdeen. We would first direct attention to those Bequests which are *Mixed* by their original destination and in their present mode of application.

Bequests Mixed by Original Destination, and in their Present Application.—Some of these mixed bequests are of considerable amount, and call for special observation.* The Hutton Bequest, in the parish of Caerlaverock, Dumfriesshire, was visited and reported on, under our instructions, by our Secretary.† In 1719 Dr. John Hutton left £900 to the minister and elders of the parish, the interest of which was to be applied mainly for education, and partly in relief of indigent natives of the parish, with powers to go beyond the parish to aid any special case of destitution recommended by the Presbytery of Dumfries; the kirk and manse were to be kept in decent repair with any surplus which might exist after fulfilling the main objects of the trust. Some minor bequests have since been added to the trust, and have been applied by

The mixed character of various Bequests

The Hutton Bequest; its provisions.

* The Ferguson Bequest has been dealt with in the previous chapter, pp. 131-137.

† See Appendix, Vol. I.

the trustees to the improvement of the estate purchased with the Hutton Fund. The net revenue of the estate now amounts to £700 a year, and is said to be rising in value. The deed of mortification is given in full in our Secretary's Report, and the different objects to which it is to be applied are set forth by him as follows:—

- 1st. The maintenance of a higher-class school in the parish of Caerlaverock.
- 2d. The maintenance of such side elementary schools as might be considered necessary for the adequate instruction of all the children of the parish.
- 3d. The providing of bursaries for four poor boys—the sum left for this purpose (£3, 4s. 6d.) being evidently intended to maintain and clothe as well as educate the bursars.
- 4th. The apprenticing of these bursars, one each year, to some employment, and the continuance during their apprenticeship of a sum in addition to that which they had received as bursars; the sole condition being that they should be proper objects for such charity.
- 5th. The payment of certain sums annually for the relief of natives of the parish of Caerlaverock—poor, blind, lame, or otherwise indigent,—‘fallen under such circumstances as shall render them true and real objects of such charity.’
- 6th. The purchase of Bibles and religious books for distribution among the poor with the interest of surplus.
- 7th. The keeping of the kirk and manse in decent repair, also out of interest of such surplus.

Terms of the deed relating to the poor.

The terms of the deed relating to the poor are as follows
 ‘The minister and elders aforesaid shall apply and employ sae much as they shall from time to time in their conscience think fitt and necessary out of the annual rents, interests, and profittes ariseing from the said principall sum for helping, releaving, assisting, and supporting of such families, family, persons or person, natives born in the said paroch, they or their predecessors haveing lived establisht inhabitants or indwellers ten years in the same, who by providence are become poor, blind, lame, or otherwayes indigent, fallen under such circumstances as shall render them true and reall objects of such charity, excluding allwayes all idle wandring beggars, exsterns not born

in the said paroch, from any pairt or share of the said charity.'

Under this discretionary authority, the apportionment in 1872-3 was—for Education, £266; for Poor, £289, and for Manse and Church, £37; the remainder, amounting to £200, being expended on improvements, public burdens, and expense of management.

We subjoin our Secretary's remarks on the results of the application of so large a sum to purely charitable purposes in a parish the population of which is 1151:—

Mr. Laurie's
remarks.

'The educational application of the fund has been an unmixed benefit, while the eleemosynary application has been an evil. Many think that the existence of the charitable portion of the fund is a curse to the parish. The remarkable fact remains, that in a rural parish of 1151 inhabitants, with no special cause for an increase in the number of its poor above those of other rural parishes, the poor-rates are as high as in other neighbouring parishes. In the parish of Canonbie, in which the population is nearly three times as great, the expenditure from assessment is little more than twice that in Caerlaverock. The proportion is slightly larger than in the neighbouring parish of Ruthwell; and in the county of Dumfries as a whole, the average expenditure on the poor is considerably less than in Caerlaverock, and this although the town of Dumfries is included. The facts seem to me to be conclusive as to the hurtful tendency of the alms. The usual demoralizing influences of such charitable doles have been at work; and on these and their manner of operation it is not necessary in these days to descant. The weakening of that feeling of self-dependence which lies at the basis of all energy and industry is only one of the evils attending them. The cupidity of those who think they have not got enough, and the envy and bickerings of those who have got nothing, must give rise to a state of local feeling most painful and unwholesome. I may mention that the Inspector for the Board of Supervision has reported against the fund as hurtful in its tendency.'

With these facts before us, we are led to conclude that the benevolent objects of the founder have been actually defeated by the application of so large a portion of the funds to allowances to poor persons and to casual charity; and that in any revision of this foundation, the greater part might fairly be applied to educational purposes. In a parish of this size the sum of £100 would, we think, amply suffice to meet cases of distress which do not fall within the range of the Poor Law.

The amount
devoted to
charity should
be much re-
duced.

HUTCHESON'S HOSPITAL.

Case of
Hutcheson's
Hospital; its
history.

The funds of Hutcheson's Hospital consisted originally of two separate bequests for the foundation of an almshouse for aged decrepit men, and for the maintenance and education of orphan children, the larger share being assigned to the first-named object. Some minor benefactions have since been added to the funds, and have contributed to swell the whole amount, but without affecting materially the proportion of the distribution. The founders in either case had in view a charity of a very limited character, the almshouse being intended for only 11 men, and the school for 12 boys. The increase in the funds, owing to the great rise in value of the land in which the funds were invested, has altered the whole character of the foundation. The almshouse was abandoned at an early stage of the history of the institution. The practice of supporting the old men within its walls fell gradually into disuse, and pensions were given in lieu of maintenance; and in 1737 the patrons came to the important decision of extending the benefit of the charity to female pensioners.

Extension of
the charity to
females.

This deviation from the letter of the trust seems to have passed without question so long as the funds were applied for the benefit of the families of burgesses of the city, and the list of pensions to females gradually swelled in amount until it had increased to 618, while that for the old men was limited to 79 persons. These were the proportions in the year 1869, as stated in the petition to the Home Secretary praying for a Provisional Order under the Endowed Institutions Act.

Proposals of
reform;
their origin.

The proposal for a reform of this great charity did not arise so much from questions affecting the educational branch of the endowment, as from the altered condition of the city under the Municipal Reform Act, after which the burgesses and trade corporations ceased to represent the classes whom the founders had in view. Subsequent to the passing of this measure the rules and bye-laws of the foundations were altered, to carry out the supposed intentions of the founders, and extend the benefits to citizens who had carried on business either as merchants or tradesmen. The legality of these proceedings was called in question, and a protest was made by the Deacon Convener of the Trades' House against any pensions being given to those who did not fall within the letter of the original destination as burgesses, or widows or children of burgesses. These proceedings had material influence with the patrons in leading them to decide on an application to the Home Secretary under the Endowed Institutions Act, and afterwards

Legal diffi-
culties.

applying for a private Act to regulate and extend the objects of the charity.*

The scheme which was prepared under the first-named Act had for its object the extension of the pension department beyond its former narrow limits, and the conferring of new and larger powers on the patrons to deal with the revenues applicable to education. This scheme never took effect, and the Act having in the meantime expired, the patrons introduced a bill in 1872, which became law in that year.

Scheme proposed under the Endowed Institutions Act.

The Act of Parliament of 1872.

Its provisions.

By it the patrons are empowered 'to apply a part, not less than one-half, and not exceeding two-thirds, of the revenues of the Hospital in the payment of pensions of such an amount and tenure, and under such conditions, as they shall consider most judicious in each case in favour of citizens of Glasgow, or of persons who, in the estimation of the patrons, may be considered needful and deserving of aid, and who shall have carried on business and trade in Glasgow for some time, and to some extent on their own account with credit and reputation, or who shall have in any way been the means of promoting the prosperity of the city, and who by misfortune have been reduced in circumstances, and also in favour of the widows and daughters of persons of the above description, whose circumstances the patrons consider may call for such assistance.' They are empowered, further, to apply the remainder of the revenues of the Hospital, and a part, not exceeding one-third, of the capital, in furthering the cause of education, under certain provisions which are afterwards detailed.

An apportionment of the other funds which have been incorporated with those of Hutcheson's Hospital is also made under the Act, with a special proviso that applies to all,—that none of the applicants for pensions shall be in the receipt of parochial aid. In the Act a special clause is inserted, giving it practically a provisional character. It is in the following terms:—

Special clause giving it a provisional character.

'28. Nothing herein contained shall be deemed to exempt the Hospital and Mortifications therewith connected from investigation by any Royal Commission which may hereafter be appointed to inquire into and report upon the charitable and educational institutions in Scotland, or from the provisions of any general Act relating to charitable and educational institutions in Scotland which may hereafter be passed during this or any future session of Parliament.'

Before offering any remarks on the scheme of the Act, it should be noted that in the past administration of the funds the claims of education have occupied a secondary place. From the accounts

Results of past administration as regards charity and education.

* Evidence, 5685 *et seq.*

of the charity it appears that there was in the year 1873 expended—

On pensions,	. . . . .	£6808
On education,	. . . . .	2341

out of a net revenue of upwards of £10,240. The portion set apart for education was distributed as follows :

Extract from accounts—

Hutcheson's School, 196 boys,	. . . . .	£1964
High School, 6 boys; private schools, 6 boys,		297
Annuities,	. . . . .	80

High cost of
the latter.

The cost of the education and clothing of the boys at the school appears to be high; but it should be stated that the school was reported to be in a high state of efficiency, both by the Assistant Commissioners, who visited Glasgow in 1866, and by our Assistant Commissioner in his special report on the Endowments of Glasgow.* The former stated that, 'on examination, the boys displayed a proficiency which was very gratifying. The accuracy and promptness of their answers were equally pleasing. The more advanced pupils were taught Latin and geometry.'

Higher Educa-
tion com-
paratively
neglected.

On the other hand, the sum set apart for the Higher education seems very small. By the original deed of mortification it is provided, that if any of the boys be likely to prove scholars and apt for learning at the end of four years or sooner, then they are to be entered at the Grammar School, and there to be instructed in letters freely, without payment of any fees during their abode. We do not consider that these benevolent provisions can be regarded as having been fairly carried out by the support of only six boys at the High School, out of nearly 200 scholars. The outlay on the six boys at private schools appears to be under a special mortification of a later date.

It may be added further, that Thomas Hutcheson, who founded a bursary at the University of Glasgow, adds as an instruction, that 'if it then happens that any of the founded persons desire to enter the College and to pass their course there, seeing they are burgesses' sons of this burgh, I do hereby earnestly recommend them to the patrons, that such of them may be preferred to be of the town bursars as occasion shall offer, they being found qualified, being best learned and most indigent.' Little has been done under this instruction, either before or after the passing of the Act.†

Proportion
assigned to
Pensions and
Education by
the Act of
1872.

The inequality of proportions hitherto severally assigned to pensions and to education is prevented from increasing by the provisions of the recent Act, inasmuch as a limit is placed on the pro-

* Appendix, Vol. I.

† Evidence, 5746.

portion to be paid in pensions; but we do not think that the fair claims of education are adequately satisfied. We are of opinion that some reparation is due for the comparative neglect of these claims, especially those of higher education, at a period when the educational wants of the city were of a serious character.

We have also to remark on the unlimited discretion which is conferred on the trustees under the recent Act as to the kind of education to be provided. They are empowered to continue or enlarge the existing schools in which Elementary instruction may be given, either gratuitously or for payment of fees, and to institute similar schools for girls or boys in other localities, in which industrial training or higher education may also be given. They may contribute to the support of other educational establishments, over the management of which they have no control, or they may amalgamate other institutions with their own. They may provide for the maintenance of boys at the High School and at the University, and for the advancement in life of boys leaving school.

Large discretion conferred on the Patrons.

We consider these desirable objects to be kept in view in any improvement of the educational means of this great city, but a wide difference of opinion may exist as to which of them have a special claim on an endowment like this; and the several amounts to be apportioned to each object should not be left to the arbitrary discretion, which may vary from time to time, of a body of trustees consisting of seventy-four persons.

Defective constitution of the Trust.

We would further point out that this foundation is the most important in the west of Scotland, and promises to equal if not to exceed in wealth the great endowments of Edinburgh. The income has increased rapidly of late years, owing to the extension of buildings over the lands which constitute the property of the trust; and it is estimated that the income may be doubled in the course of a few years more. In the face of these facts we deprecate strongly the continuance of the apportionment of the recent Act, by which not less than one-half of the whole funds is to be allotted to pensions.

So large a portion of the funds should not be allotted to Pensions.

The use of so large a sum as this may soon be, in the payment of pensions at the discretion of the trustees, involves principles to which we think it our duty to advert. We have no reason to doubt that the trustees do their best to administer the funds faithfully. But, in so large a pension list, the task of selecting proper objects must be attended with the greatest difficulty; accident and favouritism and importunity may have undue weight: in short, the charity cannot be administered without the risk of degenerating into a system of indiscriminate doles, injurious to the independence of the re-

Dangers of abuse in administering so large a pension fund.

cipients and to the community. As the administration of charity funds comes within the scope of our Commission in so far as they are partially expended on education, we do not think we exceed our duty in directing attention to this matter, and in respectfully pressing the superior claims of education.

Superior
claims of
Education.

We are of opinion that even one-half of the present revenue is too large a sum to be expended in pensions. In any case, we would strongly recommend that expenditure on this object should never exceed £5000—one-half of the revenue in 1872, and that the balance, and all future accruing income, should be devoted exclusively to educational objects, and with a special view to the advancement of Secondary instruction.

Claims of the
Secondary
Education in
Glasgow.

Of the endowments of Glasgow, there is none on which we think a demand might more fairly be made to assist in a better provision for Secondary education than on those of this institution; and, considering the very large amount of educational endowment there, we think it right that something should be set apart for this special purpose. It has been pointed out to us that the only statutory provision for Secondary education in this great city consists in the inadequate aid furnished to the High School from the city funds, and which is now made over to the School Board. This school has never possessed any permanent endowment. The contribution from the city, which is very little above £700, has barely sufficed to give some small addition to the salaries of the masters. The disadvantage under which the Burgh Schools of Scotland labour from the want of endowment is very forcibly pointed out in the report of the Assistant Commissioners to the Education (Scotland) Commission, 1864, and the subject has been treated in a previous chapter. Some remarks on the same subject are made by our Assistant Commissioner, after his visit to the High School, in confirmation of these views. We are of opinion that a liberal sum should be assigned from the funds of Hutcheson's Hospital for the permanent endowment of the High School.

Claims of the
High School.

Endowments
of the burgh
of Banff.

A considerable endowment in the burgh of Banff came indirectly under our review in consequence of a portion of it being destined to the relief of orphans and deserted children, and in this way applied to their education. Our Secretary was instructed to report on the educational foundations of that burgh, which are numerous; and he gives some account of the fund referred to,—Cassie's Bounty, the bequest of the late Alexander Cassie, Esq. Under this destination, the interest of the fund was to be expended half-yearly towards the support of poor, aged, and infirm persons of both sexes incapable of maintaining themselves by labour, and of helpless orphans and other deserted children until they attain

the age when they may be deemed capable of providing for themselves. The bounty is distributed, in terms of the trust, in small doles to persons considered by the patrons to be destitute and deserving, and the children on the fund are said to be fatherless. It appears that an attempt was made by the Poor Board to get possession of the funds; but this was successfully resisted by the Town Council of the burgh, who claimed for themselves the right of independent administration.

In the course of his inquiries, the attention of our Secretary ^{Mr. Laurie's inquiries.} was drawn to the variety of charities applicable to the relief of distress in the burgh, yielding in all a revenue of £945. In the case of Cassie's Bounty, he was led to conclude, from the information which was submitted to him as to the recipients, that £200 of the whole income is distributed among the class who constitute the usual recipients of poor relief. 'It must be admitted,' he concludes, 'that this amount of charitable funds, in addition to the poor's rate, is, for a population of 7000 in a thriving town, more than ample; and that it is indeed a question, whether this amount is not so great as to create the very evil which the testator humanely desired to mitigate. The minister of the Free Church, Banff, who has long been resident in the town, is of opinion that the Bounty "offers a premium to poverty."'

We are debarred by the terms of our Commission from making any special suggestion with regard to a better application of these funds; but we feel it our duty to draw attention to the facts laid before us as warranting some action on the part of the Legislature for the purpose of giving facilities for a better application of such funds. ^{The better application of some of the funds recommended.}

We have not thought it necessary to enter in detail on the numerous smaller bequests of a mixed character, regarding which information will be found in the returns appended to this Report. * ^{The proportion to be assigned to Education and Charity should always be clearly defined} Our attention has been specially invited to the application of some of them, such as the funds of King James VI.'s Hospital, Perth, and the Saltoun Bequest. In the former case the funds amount to £650 per annum, and of this £84 are expended annually in aiding certain schools, and the remainder in charitable doles. The latter, a bequest which originated with Dr. Gilbert Burnett, Bishop of Salisbury, of the date of 1712, is applicable in part to the clothing and education of poor children, and the remainder to the poor of the parish. From our Secretary's report of the inquiries which he conducted by our desire, and to which we refer, the administration of the fund has given rise to local dissatisfaction, and seems to call for some revision of the rules, and especially with regard to the charitable portion of the funds. With respect

* Appendix, Vol. I.

to these and mixed bequests generally, we are of opinion that, when part of an endowment has been applied to the education and support of young persons, and part for other charitable purposes, the proportion to be set apart for each object should be clearly defined. In many cases the intentions of the testator have been distinctly expressed; but there are others where a discretion has been left with the trustees, the exercise of which is not always exercised in a manner favourable to the interests of education. It is obvious, too, that when the funds have increased largely in amount, the sums paid in alms and pensions, being considerably in excess of what was in the view of the founder, may tend to create the very evils they were intended to cure. Instances have been already referred to which have been pressed on our attention, and appear, in our opinion, to require that general powers be conferred on the trustees of charities, to modify the uses of such endowments, with the consent of some branch of the executive Government. In the case of mixed bequests, such questions will necessarily come under review; and we think that, in determining for the future the proportion to be set apart for each of these objects, regard should be had to the purposes of the founder, so far as they can be fairly carried out in the present circumstances of society; and that any authority to whom may be entrusted the duty of revising the educational endowments of Scotland should be empowered, with the consent of the governing bodies, to apply a portion of purely charitable funds to education, whenever they are applied to purposes which, in the opinion of such authority, are, from change of circumstances, unsuited to the present day, or are insignificant compared with the magnitude of the endowment.

Powers are required to enable certain charitable funds to be applied to Education.

Charitable Bequests not Educational.

Charitable Bequests not destined to Education.—In the Appendix, Vol. II., will be found a table of the annual value of the endowments which have been returned to us as—

- (1.) Originally destined, but not now applied to education;
- (2.) Not originally destined, but now applied to education; and
- (3.) Not devoted to education, but which, in the opinion of those making these returns, may now be rightly so applied.

It will be observed that some of these endowments are of considerable amount.

The *first* of these classes comprises a few bequests, but these are so few in number and so trifling in amount as not to be worthy of special notice.*

In the *second* class of cases the trustees have exercised a

* Appendix, Vol. II.

discretion in applying to education funds originally destined to other charitable purposes, owing, it may be presumed, to some doubts in the minds of the trustees whether the original destination was beneficial, or from an opinion that, owing to the growth of the funds beyond the intention of the testator, some portion might be well spared for education. This discretion is sometimes exercised in paying the fees of poor children, and in others in supplementing the salaries of the teachers of local schools. In this class may be included the case of New Abbey in Kirkcudbright, in which the accumulation of charitable bequests and church-door collections was invested in lands which now yield an income of nearly £200 a year. Some portion of this is occasionally employed in paying the fees of poor children; and, in the opinion of some, a larger portion might be applied to educational purposes, with decided benefit to the neighbourhood. In this class also are included the Hospital endowments of Stirling. The facts connected with these endowments require special notice, and will be adverted to at the close of this chapter.

The *third* class consists of funds which, for the most part, were destined for the poor at the time when there was no legal provision for their support, and regarding which a desire has been expressed by the trustees, or by persons locally interested, that they may be now more beneficially applied. Such is the case of the Moore Fund, Cardross, Dumbarton. The sum of £500 was originally bequeathed in the year 1691, by Mrs. James Moore of Wapping, London, for the poor of a limited district between the burns of Auchenfroe and Keppoch, which is not very populous, and never could have been so. The fund was subsequently invested in land, now known as Moore's Land, and yields an income of about £400 a year. In this case a special appeal has been made to us for a better application of the funds, which, if divided among the poor of the limited district, would, it is feared, prove positively harmful.

Our attention has been also invited to a more recent foundation in the Presbytery of Old Deer, Aberdeen, in which case a revenue of £1400 per annum is distributed among the Kirk-sessions of the 17 parishes included in the Presbytery of Deer, under the singular provision that it is to be distributed partly according to population and partly according to the number of registered poor. A very small portion is applied in paying the fees of poor children.

In the parish of Largo, Fife, we have an instance of an endowment which is positively wasted. The interest of the bequest by a Mrs. Jamieson was to be applied to poor widows, with families of

Instances of
their applica-
tion to Edu-
cation.

Wasted
Endowments.

young children, of the name of Jamieson, under 16 years of age ; but in no case was the donation to exceed £5 to a family. The persons applying must be resident within the county of Fife, and those within the parish of Largo are to have a preference. The managers, who consist of the proprietor of the estate of Largo, and the minister and members of the Kirk-session, report to us as follows: 'Though we have advertised for applicants in every way, and sent excerpts of the deed to every Kirk-session in Fife, yet the conditions are so peculiar, that very few widows have been found in a position to avail themselves of the benefits of the mortification, and only a comparatively small sum has been spent. At present (May 1873) we have only one recipient, who gets £5 a year; and for many years there was not even one. The principal at present is about £3600, and the interest upwards of £140 per annum.'

In Bothkennar, Stirling, we have another instance of a wasted endowment. In 1798 the sum of £1000 was bequeathed by Mr. John Ogilvie of Gairdoch, for the establishment of a permanent fund for purchasing meal during years of scarcity for the labouring poor of the parishes of Airth and Bothkennar. Here, again, we are invited to consider the claims of education on the ground that, though applied to its original purpose, the fund is now comparatively useless.

Guildry Funds,
Aberdeen.

The Guildry Funds of Aberdeen, to which reference has already been made in this chapter, form part of a very important group of charitable foundations in that city, under the management of the Town Council, some of which are of considerable antiquity. The various charity funds which are distributed by the Town Council among burgesses of guild and their families amount in all to £46,215. The Town Council has also the administration of the following funds, viz.:—

Mortifications for bursaries at the University of Aberdeen,	£15,554
Endowments for the Grammar and other Schools, and for bursaries at the Grammar School,	17,051
Mortifications for the maintenance and education of orphans,	11,682
Mortifications for various charitable purposes,	24,564
Total,	£68,851

It appears from the evidence that, in 1871, steps were taken in the Town Council to prepare a scheme for the better application of all these funds, and for the application of a much larger portion to education than heretofore, under the Endowed Institutions (Scotland) Act, 1869. A report was prepared having these objects in view, but it did not meet with the

support of a majority of the members of the Town Council. We had before us members of the Council holding opposite views on this question; and it was represented to us, on the part of those who advocated the change, that it was proposed chiefly on the ground that it would afford the means of terminating a subject of dispute between the Town Council and the Guildry as to the right of the latter to the charitable funds. In the view of some members of the Town Council, this change was further advocated on account of the injurious tendencies generally of mortifications of this character. For details as to the opposing views we refer to the evidence which is given in our First Report.*

The remarks we have made with regard to Mixed Bequests will apply to these endowments. Any general powers conferred by Parliament for the modification of the uses of Mixed Endowments should be large enough to apply to Charitable Bequests generally.

ENDOWMENTS OF STIRLING.

These endowments consist, first, of two Hospitals, which were originally of the nature of almshouses for adults, but the funds of which are now distributed in out-of-door pensions; and secondly, of two mortifications for the education and maintenance of young persons. There is also a bequest of £5000 for founding a school, which is not available till the death of the testator's widow; and a bursary, founded by the late Mr. Adamson, minister of Fintray, for maintaining a student of philosophy in the University of Glasgow.

Endowments
of Stirling.

Spittal's Hospital, which is the most ancient, is supposed to have been founded in the sixteenth century, but there is no deed in existence, and the administration of the funds rests on usage only. From the close of the sixteenth century to the present day, it has been administered for the benefit of burgesses of the Incorporated Trades of Stirling. Some light is thrown on the principles of its administration in the report of the patrons which was submitted to the Special Commissioners appointed by the Home Secretary in 1871. From the early entries, one of which goes so far back as the year 1603, it appears to have been a poor's fund for the benefit of the indigent, on condition of their dwelling in the almshouse and wearing a gown with the town's mark. When an allowance is given, it is for 'ane pure in the almshouse.' The later application of the fund to out-of-door relief was on the same principle.

* Evidence, 5068 *et seq.*

Cowane's.

Cowane's Hospital was founded in 1637. According to the original destination, the funds, amounting to 40,000 merks (£2222, 4s. 5d.), were to be applied in erecting an hospital or almshouse for twelve decayed Guild brethren, actual burgesses and indwellers in the said burgh. The Hospital so erected seems to have had few inmates from the beginning, and from the year 1700 the funds have been distributed in out-of-door pensions to persons of both sexes.

The funds of both these endowments were invested in lands, which have risen considerably in value, and the net probable revenue may be set down as £2750 per annum.

Partial application of these funds to Education.

Payments have been made from both of these funds for educational purposes. Those from Spittal's Hospital were at first small in amount, but in 1786 the patrons began to make regular payments in aid of the salaries of teachers of the Burgh School in Stirling. The minute under which they took this step bears date 18th March 1786. The several sums now paid to teachers in Stirling amount in all to £23, 19s. 10d.

From the funds of Cowane's Hospital more liberal payments have been made for the same purpose. This commenced in 1786, when the following minute appears on the records of the Trust:—'The patrons having taken into their consideration a petition from the Established schoolmasters of this burgh for an augmentation of their salaries, and also considering the great progress made by the youth of late years in the course of their education, chiefly owing to the diligence, care, and assiduity of the said masters, and that it is for the most part the sons of Guild brethren who follow out and are completed in their education; and the patrons having a just regard to the schoolmasters' merit, and willing to encourage them to continue their attention and best endeavours with their several charges, so essential to the interest of the youth, but, at the same time, adverse to the burdening of the inhabitants with any addition to the quarterly wages, do therefore appoint the Hospital Master and Factor to pay yearly, during the patrons, present and to come, their pleasure only.' The minute then states the sums to be paid to the rector, his assistant, and the English and writing masters. Additions have been made to the sums paid to the schoolmasters in the burgh from time to time since the above date. The total annual payments now amount to £180, 4s. 4d.

Application of the funds of Allan's Mortification.

Allan's Mortification, which bears date 1724, consisted of 30,000 merks (£1666), for the benefit of 'poor and indigent boys and male children of all tradesmen belonging to the incorporated trades living and residing within the burgh.' On their being dismissed at the age of fourteen, each boy is to have paid

to him, or to the master with whom he may be bound apprentice, 100 merks Scots. The patrons were further empowered to allow to deserving boys (one at a time) 100 merks Scots for their help at College. Directions were given for purchasing a house, and the children were boarded in it from the year 1741, and sent out as day scholars to different schools in the town. In 1797 a new house and schoolroom were built at a cost of between £800 and £900, of which £100 was subscribed from the town's funds, £100 from Cowane's Hospital, and £30 from Spittal's Hospital; and the new school was appropriated to children of all denominations. Three years later the system of boarding the children at the Hospital was abandoned, and the children were sent home to their parents or relatives, who received 3s. 6d. per week for each boy. This plan has continued till the present time, the allowance being reduced to 2s. 6d. per week. The average number on the foundation during the last twenty-five years has been twenty-eight. There is a preference clause in favour of Allan's own relations, and there are now three of them in the receipt of payments amounting in all to £35. In this case also payments have been made from the funds towards the salaries of the burgh schoolmasters. The amount paid is £51, 14s. The land in which the funds were invested has increased in value, and yields a surplus, available for the purposes of the Trust, of £525, the probable future revenue being £700.

Cunningham's Mortification was founded in 1804. The sum of £4000 was left to the Town Council, and the annual interest or rent was to be applied 'for the maintenance, clothing, and education of poor boys of the Guildry and Society of Mechanics of Stirling,' the boys to be maintained, educated, and put to business and trades, 'in the same manner as the boys under the John Allan's Mortification.' The average number of boys for the last twenty-five years has been nineteen. The 'Mechanics' formerly comprehended certain callings which are detailed in the schemes of the patron. The Society still exists as an incorporation. The capital sum which came into the hands of the Town Council was £5724. This yields a revenue, after deducting expenses of management, of £213.

The different incorporations in whose favour these endowments were instituted no longer represent the trade and mechanical industries of the burgh. The special privileges which belonged to the Incorporated Trades and the Guildry were materially affected by the reform of the municipality in 1833, and by the Act of 1846 touching the privileges of Incorporations in Burghs. The Town Council, who are the patrons and trustees of these foundations, were formerly composed of members of the

Cunningham's
Mortification.

Altered con-
dition of the
Trades of
Stirling.

Guildry and Incorporated Trades, in the proportion of fourteen to seven, and were therefore fitting trustees of foundations for the benefit of those bodies. They now represent the whole community by direct representation. The Guildry and Incorporated Trades, who formerly had a sort of monopoly of the trade of the burgh, are now maintained as charitable associations.

Proposals of
reform.

In consideration of these changes, and of the increase in the funds of these endowments, which have far outgrown what may be supposed to have been in the view of the founder, proposals of reform have for some years been mooted in the burgh, and attracted the attention of the Assistant Commissioners to the Education (Scotland) Commission, 1864, on their visit to the Burgh School in 1868. In their report a very full account is given of the endowments, and extracts are given from a pamphlet which had recently been published by Mr. Christie, Convener of the High School Committee, advocating proposals of reform which formed the basis of the scheme subsequently adopted by the patrons.

Scheme of the
Patrons.

After the passing of the Endowed Institutions (Scotland) Act, 1869, the Town Council, who are Governors and Managers of Spittal's and Cowane's Hospitals, and also of Allan's and Cunningham's Mortifications, on the 30th of May 1870 adopted a resolution that it was expedient that provision should be made for the better government of these institutions and the application of the revenues thereof. At the same meeting a scheme was submitted, in which it was proposed that the different funds should be united under one system of management and of audit; that after the death of the present pensioners of Spittal's Hospital, the whole funds should be applied to the purposes of education; that, after reserving in a similar way the rights of pensioners on Cowane's Hospital, the sum available for pensions should be applied to relieve decayed merchants and master tradesmen resident within the burgh, upon a higher scale than under the present system; and further, that after satisfying existing interests in the case of Allan's and Cunningham's Mortifications, the claims of the members of the Incorporated Trades on the one hand, and of the Guildry on the other, should cease, and the whole fund should be thrown into a general educational fund.

The Educational Scheme made provision both for elementary and for higher education. It reserved to the patrons the power of admitting to the elementary schools, free, the children of deserving poor widows, and others being poor; but instituted no less than 158 scholarships and bursaries, varying from £2 to £25, to be the reward of merit.

The Guildry of Stirling prepared a scheme for Cowane's Hospital and Cunningham's Mortification, and the Seven In-

corporated Trades also proposed a scheme for Spittal's Hospital and Allan's Mortification. These two schemes taken together formed an alternative scheme to the general scheme of the Town Council, referred to in the preceding paragraph.

Alternative
scheme by the
Guildry and
Incorporated
Trades.

Under this second alternative scheme, it was proposed to devote a larger sum than hitherto to education, but a sum falling short of that proposed by the Town Council.

These respective schemes having been submitted to the Town Council at a meeting on the 9th of September 1870, a motion was made that the patrons agree to and accept the proposals of the Guildry and the seven Incorporated Trades, and remit to a committee, in conjunction with the committees of these bodies, to prepare a petition to the Secretary of State for a Provisional Order on the basis of these proposals, and to take all the necessary steps to obtain a Provisional Order. An amendment to this was moved and carried by a bare majority, that with reference to the two schemes before the patrons, and without pronouncing judgment in favour of either the one or the other, both schemes be remitted to the Secretary of State, to do, after inquiry, as he should judge best in the matter.* The several schemes came thus to be submitted to the Secretary of State, and in terms of the 3d section of the Endowed Institutions (Scotland) Act, a Commission was issued and an inquiry instituted.

The Commissioners appointed were the Very Rev. Principal Tulloch and Sheriff Blackburn. They fixed the 9th May 1871 for beginning their inquiry; and having taken evidence and heard counsel in the interests of the various parties, they reported their judgment to the Home Secretary. They recommended—

Commission
of inquiry
appointed by
the Secretary
of State.

1. That power be given to place the four Trusts of Spittal's and Cowane's Hospitals and Allan's and Cunningham's Mortifications under one Board of Trustees, administering the whole as one general fund, with one factor, and an independent and effectual audit of accounts.

Their recom-
mendations.

2. That power be given to apply the general fund to pre-existing pensions—including Allan's needy relations—so long as present recipients require them, and no longer.

3. That when the annual amount of such pensions has been reduced to not more than £720 in one year, the trustees shall have power to grant new pensions, but only to deserving indigent old persons, who are and continue to be resident within the parliamentary bounds of the burgh of Stirling, and have—or, if widows, whose husbands have—so resided for at least two years out of the ten preceding application for relief; but the amount of pensions not in any one year to exceed £720 in all.

* Report of Special Commissioners, p. 2.

4. That the trustees should continue to pay for the support of Allan's and Cunningham's schools and scholars as at present, until a general Education Act comes into operation in Stirling—such payments then to cease.

5. That powers be given to enable the trustees to promote and encourage secondary and higher education in Stirling by founding and equipping out of the general funds a suitable school, by founding exhibitions for scholarship within the school, or in the primary schools, and bursaries to universities or other special institutions, and by endowing the masters with suitable salaries.

The Guildry Incorporation of Stirling protested strongly against the recommendations of the Commissioners.

No Provisional Order was granted before the expiry of the Endowed Institutions Act, and the whole question still remains unsettled.

Amendments
proposed by
the Patrons.

In April 1872 the patrons adopted some very important amendments on the Provisional Order, recommended by the Commissioners. The principal resolutions were as follows:—1. That no one becoming in future a member of the different incorporations should have a claim to benefit by the endowments. 2. That, after reserving existing interests and claims, the fund for pensions shall be limited to £1300 per annum, and that the payments shall be gradually extended to persons who shall have carried on business or trade within the burgh, and who by misfortune have been reduced in circumstances, and also to widows and daughters of the above; and also in favour of old and deserving citizens of the burgh. 3. In the same spirit, payments are to be made from Allan's and Cunningham's Mortifications to children of members of the incorporation, until all the claims on the existing lists are satisfied. 4. The surplus to be applied to educational purposes generally, under the management of a Board, to be constituted in part of members of the School Board (in the event of one being formed in the burgh), and in part of the patrons.

Principles that
are involved in
all these
schemes.

It will be seen from this brief review that a wide difference of opinion has existed in the body of patrons, from the first discussion of the different schemes of reform, as to the proper application of these funds. The proposal to refer the rival schemes to the Secretary of State was only carried by a majority of 11 to 10; and in the resolutions adopted at their more recent meeting, the original scheme is modified in some essential particulars—in none more so than in the proposal to admit the artisan class to the benefit of the future pensions. This may be regarded as the withdrawal of their first proposal, to apply the whole of the funds of Spittal's Hospital to educational purposes.

It may be observed, too, generally, that all the proposals par-

take of the nature of compromises between the relative claims of charity and of education. Whatever may be said of the tendency of organized charities to weaken the springs of industry and surround themselves with a dependent class, it forms an important feature of all the schemes, including that of the Commissioners, that a certain portion of the revenues should be reserved for charity. In all the proposals, however, a fuller recognition is made of the claims of education than has heretofore prevailed. At the same time, these claims have been more or less recognised for upwards of a century by the patrons of Spittal's and Cowane's Hospitals, which were charitable in their origin; and that on the distinct ground that they were in this acting for the benefit of the class which the founders intended to benefit.

The Guildry and Incorporated Trades, while contending that the present application of the funds is not merely legal and equitable, but in conformity with the intentions of the founders, shrink from insisting on the *status quo*, and admit the fairness of the claim for an application of more money for education. Their schemes differ in essential particulars from that of the patrons, but they concur with them in proposing that there shall be an equitable distribution of the funds between charity and education.

With these facts before us, we do not think it necessary to discuss at length, even were it strictly within the terms of our Commission, the various matters connected with the past history of these funds embraced in the inquiry conducted by the Special Commissioners appointed by the Secretary of State. The material points are briefly and clearly summed up in the following extract from the Commissioners' report:—

' Looking at all the facts in evidence, it may be concluded that the existing administration of Cowane's and Spittal's Hospitals grew up gradually in the hands of the patrons, according to what they deemed best for the charitable relief of the community, without strict regard to the founders' trusts. The Guildry and the Seven Incorporated Trades formed, in the end of the 16th and in the 17th and 18th centuries, a very large and powerful proportion of the whole community of Stirling. The Town Council was chosen exclusively from them; and it seems at an early date, about 1597, to have obtained possession and control of Spittal's Hospital funds—by what right or title cannot now be ascertained. Cowane's funds, on the other hand, were put under their control by himself; and these funds having been specially designed for Guild brethren, Spittal's charity came to be appropriated for the benefit of the trades. This, which appears to be the natural origin of the distinction which has long subsisted in

Views of the
Special Com-
missioners.

the distribution of these funds, may be said to be historically verified by the fact that it is only from about the middle of the 17th century, or the time when Cowane's charity began, that Spittal's funds are found to be almost entirely confined to members of the trades. Previous to this time, relief was extended from these funds to members of the Guildry, or merchants, equally with craftsmen.'

'A lengthened train of evidence was submitted to the Commissioners as to the institution of the Stirling Guildry, and especially as to the point of residence as a qualification for admission to the Guildry; but it is unnecessary to report at length upon this point, because whatever may be held to be the valid constitution of the Stirling Guildry, there can be no doubt of Cowane's intentions to limit the benefits of his charity to such decayed Guild brethren as were residents within the burgh. According to the deed of foundation, it is plainly necessary that the beneficiaries of this charity should be both actual burgesses and indwellers of the said burgh. It is of little consequence, therefore, whether or not it may have been customary from the beginning to admit persons as members of the Guildry who did not reside in Stirling, or practise merchandise in the burgh. For members of this class, even if validly esteemed burgesses, were not such burgesses or Guild brethren dwelling in Stirling as John Cowane intended to benefit by his money. It seems, besides, unnecessary so to extend the meaning of the Guildry Incorporation of Stirling as to include a certain class of recipients of Cowane's charity within the terms of his will, while it is confessed on all hands that it has been found impracticable to limit the charity by the terms of the will. A Deed of Foundation, whose limitations from the first have been so systematically evaded as that of Cowane's Hospital, can scarcely be pled in bar of any proposed extension of the benefits of the charity.'

They recommend a scheme of Education combined with Charitable Relief to a limited extent. Report, p. 8.

The Commissioners proceed to give reasons for their conclusion that the funds, as hitherto administered, have been of very doubtful advantage to the inhabitants of the burgh. We concur with them in thinking that 'neither the Guildry nor the Incorporated Trades of Stirling, separately or together, any longer fairly represent the mercantile and industrious portions of the community;' and the application of the funds to a well-organized scheme of education, combined with charitable relief to a limited extent, and carefully exercised only when urgently required and well deserved, must be considered an improvement on the existing administration of the Hospital charities.

We may be permitted further to suggest that the principle

which was applied by the Act regulating Hutcheson's Hospital, Glasgow, bears on the case of Stirling, and that the charitable portion of all such funds should be employed, in the true spirit of the founder's intention, for the benefit of the whole community. On these grounds we are led to conclude, that any fund reserved for pensions should be applied, after reserving existing interests, agreeably to the late resolutions of the patrons, for the benefit not merely of decayed merchants, but of indigent artisans, in some such proportions as have been in use in regard to Spittal's and Cowane's foundations.

Charitable funds should be apportioned among the different classes interested.

With regard to the apportionment of these funds between pensions and education, we are of opinion that a sum even less than that fixed by the Special Commissioners might suffice for pensions. But the exact amount to be set apart, and its apportionment between the different classes to be benefited, will be best determined by the authority to whom may be entrusted the carrying out of our recommendations.

We have further to recommend that the portion of the Hospital funds available for education should be administered by a mixed body of trustees, with a view to the advancement of secondary education in the burgh and its vicinity. On this subject we have to state our general concurrence with the recommendations of the Special Commissioners.

The funds should be administered by a mixed Trust.

The foregoing remarks have reference to the Hospitals only. The question as to the proper application of the funds of Allan's and Cunningham's Mortifications rests on different considerations, inasmuch as both of these were destined from their foundation for the maintenance and education of young persons, and Cunningham's is of comparatively modern origin. These charities are not liable to some of the objections which attach to educational Hospitals, the children being boarded out with their parents or relatives, and mixed with other boys in the same school who are not on the foundation. It is stated, however, in the evidence which was given before the Special Commissioners, that they suffer from the bad influences which all charities appear to exercise when the funds are lavishly distributed, or where the recipients are numerous and kept much together. Mr. Graham, the teacher of Allan's School, stated in his evidence that he experienced the greatest difficulty in stimulating to work these boys, nearly fifty in number, who form one-fifth of the whole school. It is to be observed, too, that the same objection applies to the present administration of these charities as to that of the Hospitals of Stirling, that the recipients belong to a class who no longer represent exclusively the industry or trade of the burgh; and

Recommendations for the application of Allan's and Cunningham's Mortifications.

it would follow that in future they should not be confined to the Incorporated Trades. The funds of Allan's Mortification are principally invested in land, and, like those of the Hospitals, have very much increased in value. The net income is estimated at £525; that of Cunningham's Mortification is £213. Keeping these facts in view, and bearing in mind the recommendations we have made for an improved administration of the revenue of Hospitals and other educational charities, we are of opinion that the object of the charities and the intention of the founders would be fully satisfied if two-thirds of the present income were applied to the support and education of young persons coming under the principle of the original bequests, but without restriction to the Guildry or Incorporated Trades, and that the remaining third should be applied to the foundation of open bursaries, to be competed for in the schools of Stirling, with a view to enable boys to prosecute the study of the higher branches of learning. We are further of opinion that all schools participating in the endowments should be placed under Government inspection.

IX.—UNIVERSITIES.

THE Endowments in our UNIVERSITIES were to some extent reported on by the University Commission of 1858, and, so far, are beyond the scope of our present inquiry. But that Commission was only empowered by 21 & 22 Vict. c. 83 to deal with foundations which had then taken effect for more than 50 years, and therefore all subsequent to 1808 come within our province. Since that date certain professorships have been founded and endowed. No case of this character has been brought under our notice in which the terms of the foundation seem to require any recommendation from us. The foundations generally since that date, however, have been of the nature of bursaries or scholarships; and in considering these, the whole question of the mode of appointing to bursaries in the Universities has been earnestly pressed upon our attention. It is not possible to treat this matter with exclusive reference to bursaries founded since 1808; but in stating the conclusions at which we have arrived, and which must have an application more or less direct to all such foundations, we shall not, as it seems to us, be exceeding our Commission. The functions of the Commissioners of 1858, as is stated by their secretary in answer to a communication from us, were ‘mainly of an executive character, and it did not, therefore, devolve upon them to report on the foundations generally, or to mention any except those with which, in the performance of their duties, they felt called upon to deal.’

Only fifty-one of these bursary foundations were regulated by the ordinances of the University Commissioners of 1858,—their aim having been to reduce the number of endowments which were practically useless from their small amount, and create new foundations of greater value. In some cases more important changes were carried out, which are particularly described in their Report. Referring to the ordinances, seven in number, which regulated some of the foundations of the University of St. Andrews, they remark: ‘We should probably, had it been in our power, have effected further changes of the same character; but this we found impossible, owing to the manner in which the patronage of the bursaries in St. Andrews is distributed among a number of different persons. The ordinances also, in some cases, have abolished conditions and limitations attached to bursaries which there have been found to operate injuriously.’

University
Commission of
1858.

Fifty-one Bur-
sary Founda-
tions regulated
by above Com-
missioners.

Our attention has been specially invited by the Senatus of Edinburgh to the fact that twenty-two bursaries, mostly of small value, and collectively worth about £180 a year, founded prior to 1808 and between 1622 and 1784, were not reported upon by the Commissioners. They are in the hands of private patrons or of public bodies, and we are led to infer that difficulties may have prevented the consolidation of some of these benefactions similar to those which are referred to in the case of St. Andrews.

Some very important bursaries connected with the University of Glasgow escaped revision owing to their having been regulated under a recent Statute (1858). The Dundonald bursaries were founded in 1673, and came into the possession of the Duke of Hamilton early in the present century by purchase.* The object of the Statute referred to was merely to regulate the number and proportion of the bursaries in arts and divinity respectively, which had increased beyond the number prescribed in the original deed; but the original provisions were minutely adhered to, and, we are informed, are quite inconsistent with the system as to the order of classes laid down by the Commissioners in their general rules.

An important ordinance connected with the University of Aberdeen was disallowed by an Order in Council after the petitions which were presented against its approval had been referred to the Committee of the Privy Council. The powers of the Commissioners had expired at the time when the Committee presented their Report, and it was no longer possible for them to issue another ordinance to regulate the foundation. Although this foundation is not strictly within our Commission, as it formed one of those reported upon by our predecessors, we think it our duty to invite attention to the unsatisfactory state in which it is said to be left owing to this decision. 'The result has been,' the Commissioners remark, 'to leave this foundation, which is one of the most valuable in the University of Aberdeen, in such a position that the fund can hardly be administered for the future without either an adherence to an obviously illegal system, or the interposition of some other authority to secure that effect shall be given to the will of the founder.'†

Classification
of Bursaries.

In each of the four Universities of Scotland the bursaries may be primarily divided into two classes,—'competition' bursaries and 'presentation' bursaries,—the former awarded by the result of a competitive examination (though in some cases restricted to particular schools or certain localities, or with preferences to names, etc.); the latter given according to the choice of the 'patrons,' as they are called.

Recent founda-
tions.

Most of the recent foundations, as the Pitt and Mackenzie

* Evidence, 5161. † Universities (Scotland) Commission, 1858, Report, p. 40.

Scholarships in the University of Edinburgh, and the Luke Fellowship in the University of Glasgow, are open to competition without restriction. The munificent endowment by the late Mr. John Clark of Glasgow, of the present annual value of £1200, for the purpose of founding bursaries and scholarships in Glasgow University, is restricted only by a *ceteris paribus* preference for orphans. This foundation has not yet come fully into operation; but we cannot doubt that it will be so administered by the trustees that the purposes of the liberal testator may have the fullest effect. Probably the best way of securing this would be by entrusting the conduct of the examinations to the University.

In all the Scottish Universities the bursaries in the power of the Senatus Academicus are now given by competition. The Senatus of the University of Edinburgh thus state the theory on which they administer their bursaries, in a paper which they have laid before us:—*

Manner in which Bursaries in the power of the Senatus are awarded

‘The Senatus assume the now undeniable principle that, wherever it is legally possible, a bursary or any such endowment ought to be bestowed, with the most anxious care, on the candidate of greatest merit and promise. They further assume that the best known means of ascertaining merit and promise, of the kinds to be taken into account in disposing of bursaries, is the public competition of candidates according to some well-arranged scheme of subjects for examination.’

It is right to say that, in this particular, the other Universities of Scotland have followed the example of Aberdeen, where from time immemorial a system of open bursaries has been administered. At Aberdeen, too, the Town Council, with enlightened liberality, have always placed the bursaries in their gift at the disposal of the Senatus. Of late years the bursaries under the control of the Universities have been also set free from restrictions and preferences. This was partly effected by the Ordinances of the Commissioners of 1858, and the Universities themselves have done what they could towards the same end. The Aberdeen witnesses state, that in a well-conducted examination a *ceteris paribus* preference comes to be practically a nullity; and consequently that, with them, bursaries in which such preferences are enjoined are in fact bestowed according to the result of the examination.† And the Glasgow University Calendar contains an intimation that, ‘in the case of bursaries in the gift of the Senate, in appointing to which “a preference” is given to certain names, etc., by “a preference” the Senate understand, in every instance, a preference *ceteris paribus*.’ The good effects of open competition have been amply shown in the long experience of Aberdeen. These effects are not confined

* Second Report, p. 650

† Evidence, 8264-69.

to the recipients of the benefaction, nor to the University; it has been found that by the system a powerful stimulus is given to education in the whole north of Scotland.*

Presentation
Bursaries.

There are, on the other hand, at all the Universities a great number of presentation bursaries, as they are called,—some in the gift of individuals, some in the gift of corporations or public bodies, and some in the gift of private trustees. The trustees are in some cases *ex-officio*; as members of presbyteries, ministers of parishes, sheriffs of counties, or heads of incorporations. In two cases the trust is attached to the owners of certain properties.

Value of Com-
petition and
Presentation
Bursaries.

The annual value of the competition and of the presentation bursaries respectively is as follows (see Table VII. appended):—

	Competition Bursaries.	Presentation Bursaries.
St. Andrews, . . .	£881	£645
Glasgow, . . .	2,038	1,212
Aberdeen, . . .	2,905	2,009
Edinburgh, . . .	1,678	1,275
More than one University,	565	356
Total,	£8,067	£5,497

The bursaries in the gift of the Aberdeen Town Council are here classed under the head of competition bursaries, because, as above said, they are awarded according to the results of the annual competition conducted by the University; and the holders of them are dealt with, in the Aberdeen evidence, as holders of competition bursaries. It is right also to explain that a large proportion of the bursaries classed as ‘competition bursaries’ are subject to restrictions and preferences.

Effect of pre-
sentation
system.

Upon the results of this presentation system we have had full and valuable evidence, especially as applicable to bursaries in arts—the great majority of bursaries in each University being tenable in that Faculty. We have had oral evidence from gentlemen representing the *Senatus* of each of the Universities; statements have been furnished to us, in which the qualifications of presentation bursars have been tested in every possible way, and for periods extending over many years,—by prizes, by graduation, and by their position generally in the classes. A careful consideration of this evidence has forced upon us the conviction that, so long as the present system shall continue, £5,500 a year will, so far as the true interests of education are concerned, be greatly wasted. The *Senatus* of the University of Edinburgh, while not doubting ‘that some of the patrons do their best to see their bursaries suitably awarded,’ thus express themselves on the subject:—†

University of
Edinburgh.

* Evidence, 8292.

† Second Report, p. 652.

‘But, from the very nature of the circumstances, private patronage bursaries, or bursaries describable as such, are liable to abuse, or, when they escape abuse, can work but feebly for the discovery and promotion of merit. The very dispersion and disconnectedness of this class of bursaries may be said to fritter away a large fund of money, that, were it administered together visibly on the principle of competition, might be a powerful and steady agency from year to year in the education of the country. At present there is reason to fear that some of the bursaries, originally intended to reward and encourage merit, and which the founders hoped would always be sacredly used for that end, are secretly given away, no one knows why, except that some young man, having heard of such or such a bursary, has applied for it in the nick of time. But even when the patrons or their agents take trouble to weigh the comparative claims of applicants, they can often but make a rough selection among the clients whom the chances of neighbourhood or private recommendation have brought round them; and they cannot be sure, when they bestow the bursary on a deserving young man, that it might not have been a boon to a more deserving. On this account, in proportion to the very conscientiousness of a patron, every recurring vacancy of the bursary which he has to administer is apt to be a torture or annoyance. The Senatus have, in the course of their inquiries, come to know of some curious instances of the working of the private bursary system. They have had extreme difficulty in finding out what students at any particular time were the holders of particular bursaries; nor could they at this moment, with all the pains they have taken, write opposite to all the bursaries in the completed University list the names of those holding them. They have found also cases in which the holders of bursaries were not fulfilling the conditions of regular attendance on the classes entitling them to the payment of their bursaries. They have found cases in which individual students had contrived to obtain two or more bursaries, independent of each other, and to hold them together. In one instance, it was found that the presentee to a bursary was a young man in commercial employment, a hundred miles or more from Edinburgh, with no intention of ever being nearer it, or within the walls of its University. It hardly needs, however, such extreme instances of occasional abuse to show that the private bursary system requires amendment.’

Professor Fraser, Dean of the Faculty of Arts in the University of Edinburgh, though ‘not prepared to suggest that all endowments for the encouragement of students should be bestowed on the competitive principle,’ has laid before us this statement:—*

‘When the results of the competition and private presentation system are compared, a marked difference appears in the qualities of the bursars in each class. The holders of the bursaries in the first category, awarded by public competitive examination, and administered on a uniform system, have, for the most part, been among the ablest and most successful students in the Faculty of Arts, and have more than maintained the honour which they obtained at the bursary examinations by class and other University distinctions afterwards. The holders of the bursaries in the second category have, to a large extent, taken an inferior place in the classes; few have been conspicuously meritorious, and some have been distinguished for irregularity of attendance and perfunctory performance of class work.’

* Second Report, p. 648.

University of
Glasgow

Professor Ramsay, speaking on behalf of the Senatus of Glasgow, expresses himself as follows:—

‘5168. What conclusion do you draw from these figures?—That the presentation bursaries are not only not given to average students, but that, as matter of fact, they fall, as a rule, to students below the average in point of ability and work.

‘5169. How do you account for their being below the average?—Because, as a matter of fact, the bursars are not selected on any principle. They are obtained by private influence, and no pains whatever are taken to see whether the presentees are students of merit. The result is that, with rare exceptions, they fall to students of less than the average capacity and merit.’

University of
St. Andrews.

The evidence with regard to St. Andrews given by Principal Shairp, Principal Tulloch, and Professor Mitchell is to the following effect:—

‘7629. I understood you to say that in industry there is no very great difference observable between the private patronage bursars and the others?—I should not exactly say that. There are some of the private bursars who are as industrious as the foundation bursars (the holders of competition bursaries); but on the whole I think the foundation bursars are superior, though not to so great a degree as might be expected.’

‘7630. And in attainments and capacity there is a very observable difference?—A very observable difference.’

These views have been supported by statistics, showing the position of presentation bursars with regard to University distinctions. Contrasting this with the position held, as a rule, by the holders of open bursaries, it is plain, to quote the evidence of Sir Alexander Grant,* that if the Universities ‘had the control over the different bursaries which are at present in the hands of private patrons, and which are greatly wasted, they would be placed in a very different position in point of educational usefulness.’ But the system of presentation bursaries is not only negatively mischievous, it tends to lower the teaching of the Universities. Such, indeed, is said not to be the case at Aberdeen, where the presentation bursars are, as a rule, about on a level with the ordinary students. This fortunate peculiarity is attributable to two causes: 1. To the general excellence of the education in the districts from which that University is mainly supplied—an excellence owing in no small degree to the stimulus given by the competition bursary system, which has so long obtained there; and 2. To the fact that, at Aberdeen, presentation bursars are subjected to a matriculation examination, which ensures their being up to the average level. But where these causes are not in operation, the system has this tendency. Professor Ramsay, in answer to a question whether presentation bursars interfere with the standard of instruction, says:

‘They do so in this way, that they add to the number of students who come up to the University insufficiently prepared. But there are others

University of
Aberdeen.

Presentation
system tends
to keep down
the standard
of University
teaching.

* Evidence, 3517.

as poorly qualified who have got no bursaries. So far as bursaries are a means of sending up to the Universities students not sufficiently prepared, they do harm' (5186).

And this must be taken in connection with the previous evidence of the same witness, that, 'with rare exceptions, presentation bursaries fall to students of less than the average capacity and merit.'

Sir Alexander Grant speaks to the same effect:

'3519. Would you say that those that come up by selection keep down the standard of your teaching? Is it an evil that amounts to an injury to the standard of teaching in the classes?—It works together with several other things in keeping down the standard. I think this is one of the causes, together with the unsatisfactory state of the Secondary Schools in Scotland, which keeps down the standard of the University.'

A passage in the Report of the Commission of 1858 gives support to this evidence. The Commissioners say:*

Opinion of
Commission
of 1858 on
Bursaries.

'In considering this subject, we found that the Commissioners of 1826-30 had recorded a very decided opinion as to the evil effects of an excessive number of bursaries in the Faculty of Arts; and the most careful inquiries satisfied us of the soundness of the conclusion at which they had arrived, that the existence of a very great number of bursaries operates unfavourably to the interests of education, by attracting to the Universities persons whose state of preparation is insufficient. It is difficult for the Professors, in many cases, to reject bursars as unfit to enter the University, and they are therefore led by degrees to lower the standard of their instruction, in order to suit it to the attainments of persons of inferior education. It follows as a necessary consequence that the tone and character of the University come in time to be prejudicially affected, while, to compensate this evil, no corresponding benefit is conferred on those who are admitted to the University without due preparation.'

The Commissioners are here directly dealing with the question of the too great number of bursaries; but it is the excessive number of presentation bursaries only which can be supposed to have this effect. For the evidence which we have taken shows conclusively that the above remarks can have no application to the holders of competition bursaries; these are, on the contrary, described as the '*élite* of our students.' And it is hardly necessary to say that, in the nature of things, they will always be so. If, therefore, the conclusions at which the Commissions of 1826-30 and the Commission of 1858 arrived are correct,—and we see no reason to doubt this,—the lowering of the tone and teaching of the Universities is in point of fact a consequence of presentation bursaries as they presently exist. The diminution in the number of very small bursaries effected by the Commissioners of 1858 may, to a certain extent, have weakened this deteriorating influence; but from various causes, which have, in some measure, been mentioned above, these Commissioners were prevented from carrying out that important reform far enough to justify the belief that any material improvement in this regard can have been accomplished.

* Universities (Scotland) Commission, 1858, Report, p. 38.

The elementary character of the instruction which the professors in the Scotch Universities are compelled to give is, by common consent, a great evil—a serious hindrance to the advancement of learning in the country. We cannot condemn too strongly a system which tends to foster this evil.

Argument for
Presentation
system.

It has been urged in defence of the presentation system that it may in some cases be the means of bringing forward students who have laboured under disadvantages in their early training; and also deserving students of comparatively moderate ability, or of slower development than others. But the evidence shows that, under the existing system, no such objects are attained. We have seen no reason to think that they are generally aimed at. If patrons were careful to elect upon any such grounds, we might confidently expect that the presentees would justify their position by evincing excellence of some kind, if not at the beginning, at least during the course of their University career;—certainly that they would show endeavour to remedy, by assiduous application, any early disadvantages under which they might labour. That, as a rule, they fail to do so—that they are, at no period of the curriculum, nor in any branch of study, distinguished either for aptitude or for industry, seems conclusive against this theory. In judging of the system, we must look at its working as a whole:

‘If,’ says Professor Ramsay,* ‘a patron is specially interested in his bursaries—if he cared about a particular district, and took pains to ask for names only of deserving boys to be sent up to him from each parish, recommended by the parish minister, or by the schoolmaster of some school—and if he took the trouble to inquire into the circumstances of the candidates, and satisfied himself not only that they were poor, but that they were likely to turn a University education to account, the money might be usefully applied, and a deserving class of students would be helped; but, as at present administered, the presentation bursaries are of little or no educational value to the University. They are given without scrutiny of merit to those students whose friends can bring influence to bear in the proper quarter.’

The above sketch has reference admittedly altogether ‘to an ideal state of things;’† and it may at first sight seem singular that such patrons have been so rare. Professors Bain and Geddes of Aberdeen, speaking with direct reference to the above argument, tell us that with them it has been matter of surprise how uniformly unfortunate the patrons have been in their selection:

‘8339. It was stated as one reason for maintaining a certain number of presentation bursars, that those students whose early training put them to disadvantage were chiefly from the country, and that the presentation bursaries are favourable to that class of students?—That may be a very good theory, but I doubt whether it has ever been realized in fact.

‘8340. But I mean as to practice?—No; I would not say that.

‘8341. You would not say, looking to the different classes of students,

* Evidence, 5169.

† *Ib.* 5322.

that those who come up from the country require more favour on the part of the University than those who come from the towns?—Well, there might be students of ability in the country who would not make perhaps so good an appearance, for want of the training, because it requires more than ordinary parish school training now; and if a presentation bursary could come happily down upon such men, it would be a very good thing, but in point of fact that is not the operation of the system.

‘8342. Another reason was, that it is more favourable to students of slower development, who would not come up to the standard of the competition bursaries?—If patrons could discover such men, and give them the bursaries, it might be very well.

‘8343. But in the presentation of the students there is no reason to conclude from the results that such has been done?—No. It rather seems to us surprising, after these results, that the patrons should be so unlucky with their men—that they find so few men of good natural parts.’

But this is not really matter for surprise. If a man gives of his own means to support a student at college, he will take pains to ascertain the worthiness of the recipient. But endowments for such a purpose tend inevitably to become ‘mere pauper doles, and the patronage is exercised from motives of friendship and interest, without regard to merit.’* Nor does it appear that this system is worked so as to be any boon to the poor. The evidence from Aberdeen is distinct on the point that presentation bursaries are not, as a rule, held by the poorer students:

Tendency of
Presentation
Bursaries to be
mere pauper
doles.

Presentation
Bursaries not
really aids to
the poor.

‘8381. Have you observed whether, comparing the presentation bursaries, as a whole, with the competition bursaries, the holders seem to be from a humbler part of life?—No. I should not think that. *Professor Geddes*.—I should think that appearances are rather the other way, in favour of the presented bursars being from a higher social stratum. *Professor Bain*.—For instance, the clergy have considerable influence with patrons, and a good many of their sons come up with presentations.

‘8382. Then if the presentation bursaries were generally thrown open there would be no ground for saying that this was taking it from the poor and giving it to the rich?—Certainly not.

‘8383. You believe that men in just as poor circumstances would obtain them by competition as those who obtain them now?—Certainly.’

But, even were the patronage so exercised as to aid students of the class above indicated, we are by no means persuaded that the result would be necessarily beneficial. Poverty, disadvantages of training, slowness of intellectual development, however much they may command our sympathy, constitute in themselves no claim to the enjoyment of University bursary funds. To constitute such a claim there must be, if not evidence of actual acquirement, at least evidence of an aptitude to turn a University education to good account. What is wanted is not to advance men of inferior capacity, or of slower development than others, but to advance able men, likely to be of service to the community in some sphere of intellectual activity. A boy labouring under the disadvantages of

* Evidence, 5323.

early training may in the general case overcome these as easily before entering the University as afterwards. He will, indeed, be more surely incited to effort by the knowledge that he can obtain a bursary as the reward of his exertions, than by a bursary being bestowed upon him without exertion on his own part. There may no doubt be some special cases of desert which examinations, however well conducted, will fail to detect, and which a patron might bring forward. But experience has shown that such cases are few, and the chance of their occurrence cannot fairly be taken into account in estimating the merits or demerits of a system.

In some cases the choice of the patrons is limited to boys from particular localities or educated at certain schools. Such limitations, so far as they have any effect at all, would appear to intensify the evils of the system of private patronage.

Opinion of
Aberdeen
witnesses.

It is right to say that the witnesses from Aberdeen do not concur with the witnesses from the other three Universities in their unreserved condemnation of presentation bursaries. Professors Geddes and Bain thus express themselves:—*

‘There is one remark, however, I wish to make. With regard to this question, we were instructed to bring up the full statistics showing the great superiority of the competition bursars, and we consider it a very remarkable and effective document. For my own part, I have had a good deal of discussion and intercourse with gentlemen who promoted competitive examinations in London, and I have been asked to furnish the evidence from Aberdeen, as being on a particularly large scale. I was always well aware that such evidence would be very striking; but of course I never had authority, and could not ask authority, to prepare these tables merely for private information. They are now prepared for the first time, and are, I believe, the most remarkable statistics that have yet been published in reference to that question. They will no doubt produce their impression. At the same time, when we received our instructions from the Senatus, it was distinctly understood that we were to say nothing derogatory or disrespectful of the patrons or their presentees, or to insinuate that these bursaries were positively a bad institution. We considered that the rights of patrons should be respected. If a patron really wishes to establish a foundation restricted to persons and places, or restricted to his own family, in the matter of presentation, we do not call it a bad thing. We call it a very inferior thing as regards developing the talent of the country; but in itself it is a good thing as regards educating a certain number, and is also a very important contribution to the support of the University in reference to the income of the professors.’

This opinion may be accounted for by the fact that the presentation system, owing to the causes mentioned above, does not seem to have been so injurious in its operation at Aberdeen as at the other Universities. But even with reference to Aberdeen itself, and still more, keeping in view what has been conclusively shown to be the effect of that system in the other Universities, we can by no means concur in the opinion. In the first place, we

* Evidence, 8365.

think what may be called the negative evil of the system is great. On this point we agree with the statement of the University of Edinburgh: 'Every bestowal of a bursary at random, or hastily on private solicitation, is, the Senatus submit, a real misfortune, inasmuch as, even should that bursary go to a proper person, full advantage will not have been taken of the virtue that lay in it as an instrumentality for stimulating youthful exertion, and finding out and encouraging merit.' Secondly, the system has shown itself to be a bad thing in at least two of our Universities, by sending up an inferior class of students, tending to lower the standard of the teaching. Further, it is a bad thing in the interests of the community; for young men are thus attracted to the Universities, and induced to continue their attendance there, who may have no aptitude to profit by University study, and who are eventually left in what the Commissioners of 1826-30 truly describe* as 'the most distressing of all situations,'—unable to turn to good account the education which they have received, and disqualified for avocations which they might otherwise have pursued with advantage to themselves and others. It is a bad thing for the presentees themselves, not only for the above reason, but also because bursaries so obtained have not a stimulating influence on those who get them, but the contrary.† The evidence is to the effect that presentation bursars, as a rule, continue, during their whole career, in the same relative position of inferiority which they held when they entered the University. Looking to their large number, this failure to attain distinction is remarkable. The conclusion seems irresistible, that bursaries bestowed otherwise than as the reward of merit, if they do not encourage laziness, at least do not excite effort to rise above mediocrity. It is a mistake, too, we think, to defend presentation bursaries because they increase the incomes of the professors. Such a consideration is out of place. The undue dependence of Scotch professors on fees is doubtless a serious evil—a formidable obstruction to real University reform; and it would be a great gain to the educational interests of the community if any funds could with justice be applied to the endowment of certain chairs in our Universities, especially in the Faculty of Arts. We cannot, however, in any view admit this consideration into the present question. We cannot recognise as a reason for upholding an acknowledged evil in our academical system the possibility that it may so operate as to mitigate the bad effects of another.

The disapproval of this presentation system is by no means confined to professors, or others directly interested in the teaching of the Universities. The General Council of the University of Glasgow, a body representing all classes of the community, and which, since it was called into existence by the legislation of 1858, has shown a

General evils
of the Pre-
sentation
system.

Presentation
system objected
to by Univer-
sity Council of
Glasgow.

* Report, p. 75.

† Evidence, 8306, 8384-8.

constant and enlightened interest in academical affairs, has expressed strongly the same opinion, and has heartily supported the Senatus in their endeavours to have all bursaries thrown open to competition. In 1871 the General Council adopted a Report from a Committee of their number on the bursary system generally, in which the throwing open of all bursaries was strongly urged. We quote the following passage from that Report, not only as showing how decidedly that opinion was entertained by the Council, but also as stating a view as to the probable effect of such a measure with which we concur:—‘At the same time, they do not disguise their opinion that the resources which at present are often wasted in eleemosynary bursaries ought all to be devoted to the foundation of open scholarships and open fellowships—if necessary, by the authority of a Royal Commission, as was done in the cases of Oxford and Cambridge some fifteen years ago. And in proportion as this Council and the University authorities press for the attainment of this object, they may reasonably anticipate a favourable response from the general community to the call for additional foundations.’

Bursaries in
gift of Public
Bodies.

With regard to bursaries which are in the gift of public bodies,—such as Town Councils, etc.,—there can, we think, be no room for doubt. Such bodies hold their right of presentation as trustees for the public; and the Legislature is therefore entitled to see that these rights are so exercised as to subserve the public interest. ‘It would be wrong in principle,’ say Professors Geddes and Bain, ‘to allow corporations to exercise the discretion of private patrons.’* We think, therefore, that all such bodies should be required to bestow the bursaries in their gift according to approved merit; and the only way of ensuring this is by throwing them open to competition. The desired end would probably be best attained were such bodies to imitate the example of the Town Council of Aberdeen, and entrust the duty of examining for the bursaries in their gift to the Senatus of the University to which they are attached.

Bursaries in
private hands.

The case of bursaries in the gift of private individuals is attended with greater difficulty. The right of presentation is recognised by Statute in the case of the Dundonald Bursaries at Glasgow; and we observe that in a recent scheme, regulating an old foundation connected with St. Andrews, the ‘right of presentation’ is distinctly recognised by the Court of Session. The late University Commission recognised many of these claims in their ordinances, but at the same time gave authority to the Universities to attach such conditions, in the way of examination, as might guard against abuse. We are of opinion that any claims to the presentations as of right must necessarily be subordinate to the main objects of the founder, and that these presentations, even when in the hands

* Evidence, 8874.

of individuals, partake far more of the nature of public trusts than of private property.

The large number of bursaries in private gift is remarkable, and their origin is involved in some obscurity. But we cannot doubt that their original character was that of trusts, and that the right of presentation was confined to the family of the founder or to families known to the founder, in the belief that so the fulfilment of the purposes of the trust would be best secured. Gradually, however, that which was originally a trust acquired the form of a privilege, and, in two instances which have come under our notice, has been the subject of sale. We cannot but regard such transactions as an abuse of the original purpose of the trust. Referring to one of these, the University Commissioners of 1858 say, 'It may be open to question how far such a right could be a subject of sale.' But whatever may be the precise legal character of this private patronage, the right of the State to regulate such endowments, so as to extend their usefulness and secure the main objects of the founders, seems unquestionable. These objects were great public objects,—to encourage learning and advance merit. Sometimes this is expressly set forth in the deeds. Professor Ramsay says: 'The old deeds are more careful in providing that only students of merit should be presented to bursaries than modern patrons have shown themselves to be.'* Thus the patrons of the Redhyth Bursaries, at Aberdeen, were directed to examine the boys, and if they should find any, after four years at school, 'not to have a genius and inclination for letters,' not to send them to the University. The Dundonald Bursaries, at Glasgow, were founded 'for the regard we have and carrie to literature and true piety, and to the flourishing and advancement thereof.' To the Hamilton Bursaries it is required that 'none may be presented but such as are of promiseing spirits.' And in the Adam Bursary, also at Glasgow, an idea is somewhat quaintly expressed, which we may believe to have been often present to the minds of founders: it is to be given to 'the rather poorest and most deserving.' Sometimes it is required that the bursars shall be 'qualified;' sometimes the purpose of the charity is indicated by the use of the words 'students' or 'scholars.'

These are truly of the character of Trusts.

Purposes of the founders of Bursaries.

Even in the absence of such expressed intention, the furtherance of the great public objects we have indicated must be presumed to have been in the contemplation of founders. On no other theory would endowments of the character we are now discussing be recognised as in accordance with public policy. As we have before said, perpetuities are only allowed in respect that they were intended to advance, and that in point of fact they

Objects for which perpetual destination are allowed.

* Evidence, 5320.

do advance, important public interests, educational or charitable. Thus, in the Universities Act of 1858, the Commissioners are empowered to make such alterations in the condition of endowments as may better advance 'the interests of religion and learning, and the main design of the founder, *so far as is consistent with the promotion of such interests.*

Inference
which follows.

Such having been the motives of the founders, and such the purposes for which the law has permitted the foundations to exist, it is not unreasonable that the law should secure the fulfilment of those purposes. And if a founder has mistakenly attached conditions to his benefaction which experience has shown to frustrate his intentions, and to obstruct the great ends for the sake of which the law has departed from its usual policy, it would seem not only our right, but our duty, to disregard such conditions. To do so is not to infringe upon any right of private property in the true sense of the words. Nor is it to violate the will of the founder. Rather is it to protect his will—to ensure that his intentions and wishes shall be faithfully carried out. Sir Alexander Grant mentions a curious case :*

'A gentleman who was patron of a bursary called on me. His bursary was only £6 a year, and he said he had not the least objection to placing this in the hands of the University for their administration ; but he said, "Supposing my son turns out a blockhead, I might as well have this bursary for him." I said, of course, that he could reserve the right of recalling it any time he liked.'

Private Bursaries perpetual entails.

Now, what is a bursary so administered but a perpetual entail, and that in favour of beneficiaries specially selected because of unfitness? We do not often meet with the same frankness of avowal ; but the case against the presentation system as a whole, that from such motives on the part of the patrons as the above, or from mere carelessness or facility, it is not so administered as to carry out the purposes of the founders, *i.e.* the advancement of merit, and the encouragement of learning, is established by the evidence.

Small Bursaries should be combined and thrown open.

With regard to endowments of small amount, which are practically useless as a means of acquiring academical instruction, and are worthless to the patron, we consider that they should be united into bursaries or scholarships of higher value, and open to competition ; and all those under £10 annual value should be subject to this rule. We consider, also, that when the funds of an endowment have increased beyond what is necessary to carry out the objects indicated by the testator, any surplus should be applied to establishing competition bursaries. Looking to the whole tenor of the evidence, some of our number are of opinion that all presentation bursaries should be required to be thrown open

All Presentation Bursaries thrown open.

* Evidence, 3517.

to competition, in the same manner as those in the gift of public bodies. And they are unable to see how, with regard to this matter, any distinction in principle can be drawn between bursaries under and bursaries above the annual value of £10. It has been suggested that powers should be conferred on the Universities to acquire the control of all such endowments, on condition of compensation to the patrons, and that such powers should be compulsory. Unfortunately, the Universities have no funds available for such a purpose: whether, on the assumption that compensation should be given, public money might with propriety be so applied, is a question for the Legislature.

Other plans have been laid before us, calculated, in a greater or less degree, to remedy the existing evil. Thus it has been proposed that patrons should be required to nominate a certain number of candidates for each bursary, the best of whom, as ascertained by examination, should be elected.* It may be doubted whether this plan would prove satisfactory. It plainly would not at all secure the election of the best men possible, and it might easily be so worked by the patrons as to be altogether inefficacious.

Remedies for evils of Presentation system short of throwing all Bursaries open.

Another scheme, which would be more thorough in its effect, has been suggested. It is that each nominee should be subjected to an examination; and if any one should be unable to pass it, the nomination should not revert to the patron, but the bursary, for that time, be thrown open to competition. This scheme has received the approbation of the General Council of the University of Glasgow, and has, undoubtedly, much to recommend it. The rights of presentation would, in the first instance, be preserved; in fact, they would only be interfered with when it was made clear that they had been injuriously exercised. And it will hardly be disputed that when this has been made clear such interference is justifiable. On the other hand, the consequences attaching to a bad appointment would, in the first place, tend to secure care in the selection; and in the second place, when the selection had been unfortunate, a satisfactory remedy would be provided.

Presentation Bursars required to pass an examination; and in case of failure Bursary to be thrown open.

A modified form of this plan has always been in operation at Aberdeen. There, as we have already stated, all presentation bursars are subjected to an examination, and should they fail to pass, they are refused the bursary. The examination, however, is not a severe one, falling far short of the examination for the competition bursaries; and, in case of failure, the right of presentation falls to be exercised again.

This custom may be said to have obtained the force of law in the University of Aberdeen; and the right of any University to require presentation bursars to pass an examination as a condition of holding the bursary is recognised in many of the

Custom in University of Aberdeen.

* Evidence, 7624; Second Report, p. 629.

ordinances of the Commissioners of 1858. The legality of this can hardly depend on the character of the examination. To require a presentation bursar to pass a severe examination seems not less legal than to require him to pass an easy one. There appears, therefore, to be no reason why the Universities should not require presentation bursars to pass an entrance examination of the same character as that by which the competition bursaries are determined. But any doubt on the legal point might be removed by express powers to this effect being conferred upon the Universities. It is an essential feature in this scheme that, in case of failure by the presentee to pass the examination, the University should be empowered, for that election, to throw the bursary open. To give the University a mere right of rejection would be of comparatively little use. We cannot doubt that, should any such plan be adopted as a solution of the question, the University authorities would exert themselves to carry out what would be a great improvement on the present state of things. On the other hand, the good effects of this plan would be slight compared with those which would result from at once throwing all bursaries open. Like the scheme mentioned above, it would fail to secure the success of the best man. A more important consideration is, that the uncertainty inherent in such a system would limit the effect of the endowments as a stimulus to education generally. This effect is one of the chief benefits resulting from an open system; and it cannot be produced, at least to the full extent, when there is doubt whether the bursaries will be awarded by merit or not.

Action
which may
be expected
from the
Universities
themselves.

With regard to this whole matter, the Universities have much in their own power. They might do more than they have ever yet done to free their bursaries from the eleemosynary character which unhappily attaches to them. If the magnitude of the evil were urged upon the patrons, we cannot but believe that, in most cases, they would be disposed to enter into some reasonable arrangement. We understand that at Oxford and Cambridge many rights of private presentation have been of late years relinquished. Should the same liberal spirit not be found among Scottish patrons, the Universities are not without the means of exercising a certain pressure. They might effect much were they to lay down the principle that they would recognise no bursaries the election to which is otherwise than by merit. The principle is undoubtedly a sound one. Only bursaries so awarded have any claim to the distinction which recognition by the University ought to give. All bursaries otherwise awarded the Universities should disregard. They should deny them a place in the Calendar. When the funds have been placed under their control, as is generally the case at Aberdeen, they should refuse to administer them. Such bursaries would thus be put in

their true position. The distinction between charities and real University honours would be clearly marked. With this view it has been suggested by the Glasgow University Council, that in all open foundations the word scholarship should be substituted for the word bursary, and that scholars only should be allowed to wear any distinctive academical dress. We think these suggestions well worthy of consideration.

Open Bursaries should be called Scholarships.

We are persuaded that much good might thus be done, not only because so the position of students who rise by their own merit would receive due recognition, but also because the taking of such steps by the Universities would have an effect in educating the public mind, and inducing patrons to give up their rights of presentation, or at least to consent to terms of compromise. Failing any other remedy, the Universities may fairly be expected to exert vigorously the power they possess. No desire to attract students—which would be unworthy; no fear of discouraging future benefactions—which would be unfounded; should deter them from making every effort to remove this blot from the University system of the country. It would be difficult to exaggerate the good that would be done were the whole sum at the disposal of patrons really devoted to the interests of education, instead of being ‘wasted’ as it now is. A revenue not much larger, wisely administered, has been sufficient to make Balliol College the most distinguished College in Oxford. Should the Universities shrink from this plain duty, they must in justice be held mainly responsible for the continuance of the present system.

A duty incumbent on the Universities in this matter.

Many of these ‘competition’ bursaries, as we have before stated, are open only within certain local limits, and subject to certain preferences. The extent of these restrictions is different in the various Universities. Thus, in the Faculty of Arts, the number and annual value of competition bursaries which are absolutely open, as compared with those which are subject to restrictions and preferences, would appear to be as follows:—

Restriction of competition.

UNIVERSITIES.	RESTRICTED COMPETITION.		WITHOUT RESTRICTION.	
	No.	Value.	No.	Value.
St. Andrews, . .	17	£191	33	£512
Glasgow,* . .	32	828	22	322
Aberdeen, . .	72	1309	99	1407
Edinburgh, . .	33	865	10	360

It would appear, therefore, that in at least two Universities a large proportion, even of competition bursaries, are restricted in a way which cannot fail seriously to lessen their beneficial influence.

Preferences to particular names, and to the line of the founder, have been discussed in a previous part of the Report. We would

Preferences to names and kindred.

* Not including the Clark Endowment, not yet in operation.

only repeat here that such restrictions seem peculiarly objectionable with regard to University Endowments. Indeed, as we said before, even where these preferences have not been abolished by the Commissioners of 1858, they have little or no practical effect in the bursary examinations as now conducted at Glasgow and Aberdeen. Such is probably the case at the other Universities also; and it would be well—so long as these preferences are allowed to exist at all—were an announcement to this effect publicly made in all the University calendars.

Local restrictions and locality preferences.

The aggregate value of the bursaries in all the Faculties restricted within local limits, including restrictions to particular schools, is £2784* a year. In addition to these, there are *preferences* to localities, which have a tendency to operate as restrictions. These amount to £850 per annum. On the propriety of maintaining these restrictions in favour of localities there is a difference of opinion among us. In the opinion of some of our number, these restrictions do not seem to call for any special notice, except in the limited number of cases in which the area is too narrow to admit of any full competition among the candidates. The Senatus of the University of Edinburgh, in the statement prepared by them in 1870, invite attention to bursaries connected with the County Associations, as an 'interesting class, giving expression in the most excellent possible way to the natural feeling of attachment felt by most persons to the districts where they have themselves been born and bred, or with which they have themselves associations of family and tradition.' They add: 'But while the bursaries retain their characteristic peculiarity, their agency will be more beneficial in proportion as, within the limits of that peculiarity, the principles of publicity and the selection of the worthiest by competition are attended to. The Senatus have reason to believe that the County Associations that have already established bursaries are fully alive to this, and have, in fact, taken all pains, by examinations and otherwise, to see their bursaries rightly bestowed. All that is wanted is, that the Associations should link themselves more openly with the University itself in the matter of these bursaries, by availing themselves of the machinery of examination which the Senatus can supply, and so making the competition for County Association bursaries a recognised portion of a periodical University ceremonial. The Senatus will do their best to prepare such a scheme of examination as may be satisfactory to the County Associations; and they will gladly, in any case where it may be desired, conjoin an examiner or examiners nominated by the Associations with

* Of this sum, £929 are connected with particular schools.

examiners from their own body.' Of this class of bursaries, founded by Associations or private persons, there are no less than nine connected with the University of Edinburgh which have been founded since 1858. Appeals to local feeling have resulted in the foundation of local bursaries in connection with the other Universities also, including one by the Highland Society in favour of fourteen Highland counties, four in favour of natives of Scotland generally, and one for natives of India.

Though the greater number of the foundations are of recent origin, the practice of connecting bursaries with particular localities is of considerable antiquity, and is shown in its most favourable aspect when they are attached to large schools or groups of schools.

There are, however, a limited number of bursaries founded in favour of natives of parishes or groups of parishes, where the number of students proceeding to the Universities must be too uncertain to ensure competition. It may be difficult to determine the area which will satisfy this condition; but provided that a locality can send up a student qualified to take a creditable place in the examinations of the Universities, it does not seem to some of our number that there should be any interference with the freedom of bequest in a class of endowments which they think have been generally beneficial to the Universities.

Area of these too limited in many cases.

Remedy in the opinion of some of Commissioners.

The remarks of the Senatus of Edinburgh* on the subject of restricted bursaries generally, which are referred to in a preceding page, are worthy of attention, especially as regards the importance of the utmost publicity, so as to secure a careful choice of the most deserving out of the candidates who may present themselves with the necessary preliminary qualification. In the event of no candidate of sufficient merit offering himself, the bursary should be thrown open to public competition.

Remarks of Edinburgh Senatus on Bursaries.

In exceptional cases, where, from change of circumstances, a favoured locality has declined in population or importance, power should be given, where the restriction has become too narrow, to extend it, so as to give security for a supply of able students.

Others of our number are of opinion that, in order to secure satisfactory results, it is necessary to go further.

Remedy in opinion of others of the Commissioners.

The evidence shows some variety of opinion on this subject. Witnesses entitled to respect, such as Sir Alexander Grant, Dr. Playfair, Dr. Donaldson, and others, have expressed themselves as altogether opposed to these restrictions.† In answer to a question whether the Senatus of Glasgow University would be disposed to move in the way of removing such restrictions from University bursaries, Professor Ramsay says: 'Certainly. They have done so already, in the adoption of the report of the Committee on Bur-

Variety of opinion in evidence.

* Second Report, p. 650.

† See p. 74.

saries, in the strongest possible way. And also in disregarding restrictions as to name?—Yes. And also as to founders' kin?—Yes. I believe the feeling in the Senatus to be unanimous to the effect that all restrictions are mischievous.* Professor Ramsay himself, on the other hand, urges some considerations in favour of restricted competitions:

‘5325. With regard to the locality preferences, I gather that you would be disposed to a certain extent to respect them?—Yes. I think there is this to be said for locality bursaries, that there are students who are really deserving, and who turn out well afterwards, but who never could by any chance get a competition bursary, unless the number of such bursaries was very large. I have known many students come up to the University from a parish school who could have made no appearance in an examination at first, but who, after a session or two, have really done well. It is right that such students should come to the University; and were there local competitions for such students, the University would draw in deserving scholars, and the candidates would find out whether they were qualified to profit by University attendance. I would approve, therefore, of bursaries restricted to localities, on the ground that there are students who are worthy of attending the University who could not get a bursary except in a restricted competition.’

Principal Shairp's opinion is also in favour of certain restrictions, though he rests it on a somewhat different ground:†

‘I think, in regard to bursaries being confined to special districts, that if the district is a sufficiently large one, it is a desirable instead of an undesirable thing. I refer, for example, to county bursaries. There is one which we have, namely, the Fife, Clackmannan, and Kinross bursary—a new foundation. There are several of that kind; and where they are open to sufficiently large districts, it naturally encourages scholarship in these districts in a way that, if thrown open to the whole world, it would not do. I have no wish, therefore, to see them unlimitedly thrown open, but only to a certain extent.’

Difference of
opinion more
apparent than
real.

It seems, however, to some of us, that the difference between the views of these gentlemen and the views of those who would disregard such restrictions altogether is more apparent than real. Taking Professor Ramsay's evidence as a whole, his support of restricted competition is not very decided. He seems to think that in no case should the area be more limited than a county, or two or three counties taken together;‡ and, in answer to a question, he says expressly: ‘Wherever I could do so, I would make the extension as wide as possible.’§ Indeed, the whole principle involved is conceded in Principal Shairp's proviso: ‘If the district be a sufficiently large one.’ All recognise a certain extent of area as a thing necessary to be secured. And all recognise our right, as a matter of public policy, to secure that area by disregarding, if necessary, restrictions which may have been imposed by founders. What remains is a question of degree only.

* Evidence, 5317–19.

† *Ib.* 7624.

‡ *Ib.* 5293–5330.

§ *Ib.* 5329.

The evidence as to the propriety of disregarding locality restrictions, to the effect of securing real and adequate competition, is all one way. Nor is this unanimity surprising; for, irrespective of the considerations which can be urged against local restrictions generally, an administration of educational endowments within limits too narrow to secure such a competition is attended with peculiar evils. It has, beyond doubt, an injurious effect on the Universities. It is, at best, a questionable benefit to the recipients of the benefaction. With regard to both the one and the other, it produces the same mischiefs as have been shown to flow from the presentation system. It disappoints the intentions of the founders. Their aim was to encourage *good* education in the localities they desired to favour. Experience has shown that the effect of narrow restrictions is the reverse. They induce a habit of trusting to the endowment, hostile to intellectual effort. Further, such an administration of endowments destroys the influence which, as has been already pointed out, they ought to exercise, and when open cannot fail to exercise, upon the education of the country generally. The more open a foundation, the greater its effect; for the existence of such a prize stimulates all who have a chance of obtaining it, and thus even those who fail have probably gained acquirements which they would not have gained had no such prize been set before them. It is not, therefore, matter for surprise that all the witnesses entitled to speak with authority upon educational matters advocate the removal of restrictions calculated to produce such evils.

In the opinion of some of our number, this could not be satisfactorily accomplished by dealing with exceptional cases in the manner indicated on p. 185. They think that, to require of any executive body that they should determine in what cases interference of this kind is called for, and how far it should extend, would be to impose upon them a difficult and invidious task. They are persuaded that an endeavour thoroughly to perform this duty would lead to great unpleasantness, and excite ill-feeling between particular districts. Hence it would not improbably be perfunctorily discharged, perhaps altogether neglected. Nor can they regard the supposed respect paid by this scheme to founders' wishes as an important consideration. To extend the area of a competition limited to a single parish or small county, so as to embrace two or three counties, seems as direct an interference with the letter of the foundation as to disregard the restriction altogether. More than this, any such interference is justified not only in the interest of education generally, but on the special ground that thereby education is stimulated and improved in the

Removal of
restrictions
should not be
partial.

district which the founder intended to benefit. Now the wider the extension, the greater this stimulus and improvement. To remove restrictions partially, therefore, would be to disregard founders' wishes without securing the full extent of good by which such disregard is best justified.

Would not
respect
locality restric-
tions on
grounds such
as those sug-
gested by Pro-
fessor Ramsay.

Certainly those of us who entertain these views, however disposed to respect locality restrictions in deference to the wishes of founders, would not be disposed to do so on any ground such as that stated by Professor Ramsay. For it appears to them that the plea which he urges is substantially the plea always brought forward in support of presentations and preferences of every kind, that by such means bursaries are secured to unascertained merit, in the expectation that the holders will by their future progress justify their possession of the endowment fund—an expectation, however, which experience does not entitle us to entertain. A system can never be worked so as to embrace rarely exceptional cases. But even exceptional cases of disadvantage in school education, such as Professor Ramsay would appear to have in view, would in a great measure be met by the institution of bursaries at the Universities, to be competed for after one or two years' attendance there; and still more, by the institution of numerous bursaries from the Elementary to the Secondary Schools. And the institution of such bursaries we regard as a matter of great moment—quite essential to any well-organized system of administering the educational endowments of the country.

Principal
Shairp on
restricted
competitions.

Principal Shairp's reasoning in favour of restricted competitions would have force were the bursary wealth of the country very small. Were that so, it might be urged that the country schools, unless protected in some such way, would have no chance against schools in the great towns. And a feeling of this kind may probably have been among the causes which gave rise to the restrictions originally. But the fact is not so. The bursary wealth of the Universities is not inconsiderable; and should our recommendations with regard to the presentation system, and as to the application of the surplus funds of certain foundations, be carried out, the number even of valuable bursaries would be such that, were they all thrown open, few boys of ability and energy would fail to obtain one, however wide the area of competition. And this possible increase in the funds at the disposal of the Universities, is one among the many changes of circumstances which justify the disregard of restrictions, perhaps beneficial when they were imposed. Boys educated at a country school may not, as a rule, gain the highest

bursaries; but they will, if deserving, gain something in any well-arranged system of competition. Further, the inequality in the secondary instruction of the country is one of the evils which an extensive system of open bursaries will powerfully tend to remedy. Competition will produce its usual effects. Schools, now inferior, will be stimulated to effort, and one success will be followed by another. It would be hard suddenly to introduce this vigorous treatment were it at all probable that deserving students would suffer thereby; but, as we have said, the funds are sufficient to enable this to be done without risk of any such consequences.

Nor is there reason to fear that the total removal of restrictions would materially affect the relations in which the Universities at present stand to different parts of the country. Students born or educated in certain counties would still naturally compete for bursaries in the University most intimately connected with those counties. But in the influence which it would exert on education generally, the total removal of restrictions would differ from partial removal very widely indeed. The indirect influence of a system may be great, though its actual results are not conspicuous. That students from all parts of the country should have it in their power to compete for bursaries in any University, is what would give life to the teaching of every school. And that in point of fact they would, as a rule, continue to go to the nearest University would not diminish this influence. It must be kept in view also that this practice, if carried to an extreme, is not a good thing. There is of necessity a tendency in this direction. The Universities will always draw mainly from the counties nearest to them. If the bursaries in their gift be open to competition, but the competition confined to these counties, they will do so, of course, still more. This is not to be desired. An exclusive connection between each of the four Scotch Universities and the counties immediately adjacent to it is not to be encouraged. It would be an evil were Scotland sharply divided into four districts, each, as it were, educationally complete. It would tend to foster a special character in both the school and the University teaching of each district. It would prevent the free action of the national life, with all its varied elements and requirements, upon the national education; indeed, education would so tend to become not national, but provincial. On the other hand, apart from the influence on the school teaching to which we have referred, we should regard it as a gain were all students enabled to select the University, the character of the instruction

Total removal
of restrictions
would not
affect relation
of Universities
to certain
localities.

in which was thought best adapted to their tastes or acquirements, and compete for a bursary therein; and while, as we have said, the present practice will in the main continue, important exceptions may be expected to occur were this power of selection given by the removal of restrictions.

Most expedient
wholly to dis-
regard local
restrictions.

From these considerations it appears to some of our number, that altogether to disregard local restrictions, while the easiest and the most useful course, is also the most expedient. It would excite hostility, no doubt, but once done, the question would be finally set at rest; while any partial extension of areas would, in all probability, require to be repeated from time to time, producing an ever-recurring irritation. And if founders' wishes are to be disregarded at all, this had best be done in favour of that course by which a worthy and sufficient end seems most likely to be secured.

Action taken
by Universities
of England.

Nor should we, in this matter, forget an example strikingly in point. In the Universities of England, local and other restrictions, of the same character as those we are now discussing, have been abolished, as no longer adapted to the present condition of the country, and the wealth of these foundations thrown open to the whole empire—an enlightened reform of which Scotchmen, to their credit be it said, have not been slow to avail themselves. That step was at the time opposed by many; few will now be found to question its propriety. And it is difficult to imagine any reason why restrictions, swept away as mischievous in England nearly twenty years ago, should be maintained in Scotland.

There is, of course, a marked distinction between bursaries maintained and managed by existing County Associations, and bursaries restricted to natives of certain localities by founding deeds, in most cases of old date; and it is to the latter class that the above argument must be held to apply. Bursaries of the former class are not numerous, the aggregate amount in all the Universities being only £307 a year. These should not be allowed to rank as University distinctions; but within due limits, and if wisely administered, they may doubtless do good by introducing a wholesome rivalry among the schools of the county. This beneficial agency, however, can only be secured, as is urged by the Senatus of Edinburgh in a passage already quoted, in so far as 'the principles of publicity and the selection of the worthiest by competition are attended to.'

Argument that
competition is
an injustice to
the poor.

It is sometimes urged as an argument against a system of open competition that it is an injustice to the poor. We have already alluded incidentally to this objection, but it is so important as to deserve special consideration. The children of the rich, it

is said, have necessarily a great advantage in any competition, because they are able to procure the best preparatory training. The poor are thus placed at a disadvantage, and do not get the chance of rising in the world which such benefactions were intended to afford :

‘Haud facile emergunt, quorum virtutibus obstat
Res angusta domi.’

It is therefore urged that allowance should, by some means, be made for these inequalities of fortune, and the way of advancement in life made easy to the deserving poor.

It is impossible not to sympathize with this argument ; but it will not bear examination.

In the first place, it is hard to discover what these means Difficult to find means of allowing for inequalities of fortune. should be. How can this discriminating promotion of poverty be secured ? Our inquiries have not furnished any solution of this difficulty. The Town Council of Aberdeen would seem to make some efforts in this direction :

‘8344. Is the condition of poverty attached to any great number of these bursaries ?—It is mentioned in a good many—not, perhaps, in a great many, but in some of them ; but it is not much attended to. It is attended to in a slight degree by the Town Council in their bursaries. These are all thrown into the competition ; but at the same time the Council exercise a certain discretion, and if they see a poor student a little lower down, they will raise him up at their own discretion. It is against the feeling of the professors that it should be done, but still it is done to a certain extent. It is not very much abused.’

Plainly this interference by the Council is but a slight matter, Difficult to say what constitutes poverty in this matter. and necessarily must be so ; for to carry out preferences in favour of poverty to any practical effect would be altogether inconsistent with a real competition. It would destroy the whole character of the system. Still less is this end attained by presentations. The evidence which we have taken proves that the operation of *that* system has been in favour neither of the poor nor of the deserving.

In truth, it is difficult to say what really constitutes poverty with regard to such a matter as this. In educational matters, a well-employed artisan may be a richer man than many who rank higher in the social scale. Neither is it easy to discover poverty for this purpose. The endeavour to do so thoroughly would be inquisitorial ; the decision, not unfrequently, erroneous. Many, and those of the most deserving, would be unwilling to plead poverty. Success would often be the result of accident or of importunity.

In the next place, it may be doubted whether the disad-

Disadvantages
of the poor
exaggerated.

vantages with which it is supposed the poor have to contend are not exaggerated. Of course, with regard to exceptional subjects, such as modern languages, or some peculiar branch of science, a boy whose parents could afford to send him abroad in the one case, or give him special instruction in the other, would have an advantage over a boy whose parents could not. But we are not dealing with any such case. In no well-arranged system of bursary examinations would exceptional subjects have prominence. The object of such examinations is to detect ability rather than to ascertain knowledge; and as regards knowledge, the point is, not that a boy should know what others don't know at all, but that he should know better than others what all know to a certain extent. A moderate improvement in our secondary schools—which an open system of University bursaries would greatly tend to bring about—would put within the reach of all instruction quite sufficient to fit them for such a competition as we are discussing. The best way of giving educational aid to the poorer classes is by numerous bursaries from the Public to the Secondary Schools; or, when Secondary Schools are not accessible, by bursaries which would enable them to obtain the most complete education afforded at the Public Schools themselves. These bursaries, from social causes, would, as a rule, be competed for by the poorer classes only; and, in the bestowal of them, especial regard should be had to any promise of aptitude to profit by more advanced study. It is to be remembered, also, that the examinations for them would be on subjects instruction in which is now by law provided for the whole community. The means of obtaining Secondary instruction would thus be within the reach of all who showed *any* capacity; and that level once reached, we think the principle of unrestricted competition may be fairly applied. More poor men are now educated at Oxford, under a perfectly open system, than in the times when Bible-clerks and Servitors were numerous, and when poverty was recognised as a qualification for scholarships and fellowships.

Differences of
opportunity
will always be
found.

Differences in opportunity there will, of course, always be. No set of boys can come to an examination on a footing of perfect equality as to previous training. But we are persuaded that no disadvantages will attach to the poor, which a boy of ability and industry, working under the stimulus of poverty, will not be able to overcome. And unless a boy has ability and industry, he is not worthy to hold a University bursary. In an educational system such as we venture to contemplate, and such as Scotland has it in her power to realize, every boy, starting from the common level of sound elementary teaching, will have the

opportunity of gaining for himself the means of obtaining a University education ; and unless he can make this gain in spite of any ordinary disadvantages under which he may at first labour, he has no title to what is not only an honour in itself, but a means of advancement in life. On this point the views of the English Schools Inquiry Commission (1864) apply with peculiar force :

‘ Further, since the object is to select those who are to make education a means of rising, the best test of all is that the competitors should be pitted against other boys of the very class into which they are to make their way. A boy who has only beaten other boys of the same class does not prove thereby that he is fit to receive the education of another class. But if all classes have entered into the competition, the selection is sure to be right. If the son of a labourer can beat the sons of gentlemen, that goes a long way to prove that he is capable of using with advantage the education usually given to gentlemen.’

So far as we can judge, the public feeling in Scotland, on the whole, inclines to this view of the question. The Glasgow University Council, representing a large body of opinion, express this view distinctly in a single sentence of their Report : ‘ It is, perhaps, scarcely needful now to say that simple poverty is no merit in the eyes of friends of education ; and poverty, associated with energy and ability, will be purely a gainer by the abolition of presentation bursaries.’ The weight of the evidence which we have taken is to the same effect. The witnesses generally concur in the opinion that, unless a boy can gain by real merit, he had better not, in a competition of this character, gain at all. Indeed, Dr. Playfair specifies the fact of poorer boys being able to overcome difficulties of early training, etc., as ‘ a fair test’ of their being worthy of the career to which they aspire.* Nor, in considering this matter, should we overlook the difference between the position of a student who gains aid of this character by merit, and that of one who receives it on the ground of poverty. The former enjoys the respect of his fellows ; the latter does not. Open foundations always stand high ; the holders of close foundations are too often looked down upon. The results of this distinction are such as, in our opinion, seriously to affect the value of the education which the student receives.

Public opinion in favour of disregarding mere poverty as a qualification.

One or two points yet remain which require a brief notice. Bursaries attached to particular schools, for the purpose of sending boys from that school to some University, should not receive any University notice or recognition. They are managed and awarded by the school authorities ; and no University should recognise foundations over which it has not control. To include

School bursaries should not be recognised by Universities.

* Evidence, 3443-44.

in University Calendars bursaries belonging to particular schools, and competed for only by boys there educated, is a mistake. For such bursaries, however useful in themselves, have no claim to rank as University honours; they are merely school prizes. This point is, in our opinion, of importance. The thing to be aimed at is, that all University distinctions should be given by the University, and after an open competition, and that no benefactions which may be obtained otherwise should be allowed to take rank as University distinctions.

Bursaries of
Merchant
Company.

We have to express our regret that the bursaries established by the Merchant Company in the recent reform of their trusts, have been wholly confined to boys educated at their own schools. This example naturally led to the same restriction being imposed with regard to the bursaries which were proposed to be founded in the Provisional Order subsequently applied for by the Governors of Heriot's Hospital. Were even a portion of these bursaries thrown open to general competition, not only would a benefit be conferred on the community, but a highly beneficial stimulus would be given to the teaching in these schools. We think this principle should be kept in view in establishing bursaries from surplus funds of any Hospital or Educational Endowments, and in Chap. III. we have recommended that it would, perhaps, be best carried out by allowing the bursaries which it may be thought right to throw open to be awarded by the University at which they were to be held—the bursary in all cases being called by the name of the founder.

Small bur-
saries should
be combined.

The number of very small bursaries attached to the Universities is too great. Some improvement was effected in this matter by the Commission of 1858; but we are of opinion that much more should yet be done. There are now in the University of Aberdeen bursaries so trifling in amount that they actually 'go a begging.'* Plainly these can do no good to education; and very little to the student who by asking may chance to get one. It would, we think, be desirable that no University Bursary should be of less value than £20 a year; a sufficient minimum sum, having regard to the fact that the University session is limited to about six months in each year.

No bursary
should be less
than £20.

Certain bur-
saries should
be reserved for
second year's
students.

Further, we concur in the view urged by the Glasgow General Council, that while bursaries, as a rule, should be given at entrance, a certain proportion should be reserved for second-year students;—some, until even a later period in the University course. We think this of importance as one means of remedying the disadvantages under which students who may have been unfortunate in their school-teaching undoubtedly labour at the beginning of their Uni-

* Evidence, 8274.

versity career. For at these later examinations students will compete who have enjoyed for a year or more the benefit of instruction at the University,—a sufficient opportunity to enable a young man of energy and ability to overcome any untoward circumstances in his early education. This was urged by the Commissioners of 1826–30. Indeed, it seems to us that much good might be effected by a better organization of the bursary system generally. In some points, especially in the bestowal of bursaries as the result of a general examination each year, the example of Aberdeen is worthy to be followed. In that University the annual bursary examination is an important feature in the academical system, and has many beneficial influences. The stimulating effect of the endowments is increased; their eleemosynary character is taken away; a bursary gets its true rank as an academic distinction. And we are persuaded that the long continuance of this practice has tended—powerfully though indirectly—to lessen at Aberdeen the evil effects of the presentation bursaries. At the same time, we think that a greater elasticity might with advantage be given to the system, both as regards the periods of the University course at which bursaries may be competed for, and as regards the subjects of examination. Lastly, should there be any funds available for the purpose, the foundation of scholarships or fellowships, to be competed for by graduates, would supply a great want. These should, we think, be in value from £80 to £100 a year, and tenable for a short term of years.

The changes which we have proposed are no doubt considerable, but, as we have already said, they do not go beyond what was done in England twenty years ago, so far as the same matters were then dealt with—what is now generally recognised as having been done wisely, and with highly beneficial results. They have been tested by this extensive experience. We have stated our reasons for thinking them sound in principle. We do not anticipate that, if carried out as a whole, they will occasion any individual hardship. And of their general effect for good, if so carried out, we cannot doubt. The endowments in our Universities of the character we are here dealing with are by no means insignificant. If we take together bursaries, scholarships, fellowships, and pecuniary prizes, we find the annual value of the whole to be, in each of the Universities, as follows:—

Changes proposed not greater than have been carried out in England.

Total of Endowments by no means small.

St. Andrews,	£2,206	4	6
Glasgow,	*7,075	1	6
Aberdeen,	5,982	11	0
Edinburgh,	6,275	16	0
More than one University,	1,561	0	0
<hr/>			
Total,	£23,100	13	0

If wisely administered,
sufficient.

These endowments, if thrown open and wisely administered, are sufficient to put within the reach of every able boy, however lowly born, the means of obtaining, by his own exertions, the best education the country can afford; and, at the end, of gaining a provision which will support him during the first years of his start in life. The power thus to gather ability from every class is one of the greatest gains a society can make; and Scotland is fortunate in the power to make it.

Patronage
Chairs in St.
Andrews.

The witnesses from St. Andrews, Principals Tulloch and Shairp, have specially invited our attention to the position of three chairs in that University as regards the right of presentation. The Professorships of Humanity, of Civil and Natural History, and of Chemistry, are in the gift, respectively, of the Duke of Portland, the Marquis of Ailsa, and the Earl of Leven. These chairs were, to certain effects, embraced in the ordinances of the Commissioners of 1858. This question of patronage, however, was not reported upon by them; and therefore the consideration of it does not appear to be beyond the scope of our Commission.

The patronage of the Humanity Chair is vested in the Duke of Portland, in virtue of the mortification of 8000 merks in 1620 by Sir John Scot of Scotstarvit for the purpose of founding that chair. The Chair of Civil History was established in the United College by the Act of 1747, superseding the Chair of Humanity in St. Salvator's College. The right of patronage to that chair was given by the said Act to the Earl of Cassilis (ancestor of the Marquis of Ailsa), in consequence, it is thought, of his having founded the Chair of Humanity in St. Salvator's, then superseded. The Professorship of Chemistry was founded by Dr. John Gray in 1808, with an endowment of £2000; and by his will Dr. Gray directed that the Professor should be nominated by the Earl of Leven.†

Evils resulting
from this
Private
Patronage.

Such rights of private patronage exist, so far as we are aware, in no other Scottish University. It has been represented to us that the patrons are remote from the University, are often ignorant of its interests and wants, that appointments may be made with-

* Including the recent Clark Endowment.

† Sup. Evidence, Appendix, Vol. I., 2.

out due publicity, and without a real investigation of the claims of candidates, that the fittest men will not come forward as candidates for an appointment which they believe may be obtained, not by merit, but by private interest; in a word, that the system affords no security for the selection of the best man.* Principal Tulloch says: 'In some cases, where private patronage chairs have been vacant, they have been a subject of great anxiety to us. We have been kept in ignorance as to the tests to be applied to candidates, and even as to the candidates, and uncertain as to whether it might do harm or good for the University to move in recommending any candidate.'† And again: 'I think there is no doubt that, in all the three cases—and the patrons are all different—the result upon the whole is injurious to the interests of the University.'‡ The results to which it might lead are pointed out by Principal Shairp: 'It might easily go the length—I do not say it has done so—of almost neutralizing our College altogether. For instance, if a thoroughly incompetent man were to be appointed to the Chair of Humanity, which is the entrance chair, and one that I may say attracts or deters students from coming to the College, we should have few students at all.'§

One of these chairs seems to afford an illustration of the working of the system. At the union of the Colleges in 1747, a chair of Civil History was established. Such the chair continued to be down to 1862. In 1850, however, when the chair was vacant, the Senatus of the University petitioned the patron to appoint a Professor competent to teach Natural History; and the present occupant of the Chair was then appointed. In consequence, it may be presumed, of this, the Commissioners of 1858 were constrained to declare that the Professor of Civil History in St. Andrews should also be the Professor of Natural History; certainly, as Principal Shairp says, a very extraordinary combination of subjects.|| For this diversion of the teaching of the chair from its proper subject the Senatus of 1850 must be held mainly responsible. Still, but for the existence of the private right of patronage, it is not probable that any such proceeding would have been attempted.

It is to be observed that the endowment of each of these chairs is supplemented by Parliamentary grant. There is annually voted to the Professor of Humanity, £120; to the Professor of Civil and Natural History, £100; to the Professor of Chemistry, £125. From the Endowment the Professor of Humanity gets £75, 8s. 8d. a year; the Professor of Chemistry £90; the Pro-

* Evidence, 7677-8; Sup. Evidence, Appendix, Vol. I., 11.

† *Ib.* 7672.

§ *Ib.* 7673.

N

† Evidence, 7676.

|| Sup. Evidence, 6.

fessor of Civil and Natural History apparently nothing at all.* The fees of students may be taken as averaging, in the case of the Humanity Chair, £200 yearly; in the case of the Chemistry Chair, £80. It is unusual, and contrary to sound policy, that public money should, even in this indirect way, be disposed of by private patrons.

Recommendation as to Patronage Chairs.

On these grounds we recommend that the right of presentation to these chairs should be transferred to the University Court or the Crown. Whether the patrons should receive any compensation is a question for the Legislature.

With regard to future foundations of professorships by private individuals, the following resolution, proposed by the Commissioners of 1826-30, as proper to be embodied in the statutes of each University, is worthy of attention:—‘The Commissioners are of opinion that it is expedient to provide, in an effectual manner, that no individual or public body bestowing funds for the foundation of any professorship shall thereafter have the nomination thereto beyond the life of the founder, as the nomination to all such professorships ought afterwards to be vested in the Crown; and that hereafter, on any such provision being made for the foundation of any professorship, the professor so appointed shall not become a member of the *Senatus Academicus* without the consent of the Crown.’† In the present constitution of our Universities, the functions here devolved upon the Crown would be more fittingly discharged by the University Courts.

* Sup. Evidence, Appendix, Vol. I., 2.

† Report, p. 24.

X.—THE CONSTITUTION OF GOVERNING BODIES.

THE trusts which have come under our review present much variety of constitution, but the elements of which they chiefly consist are—1st, Trustees appointed *ex officio*; and 2d, relatives of the donor, or other persons named in the deed, with power of renewal in cases of vacancies. These two elements are frequently combined, but the former preponderates largely, the object of testators having been to secure the aid of persons having some official connection with the neighbourhood. In towns, a very large proportion of the Endowments are in the management of the Magistrates and Town Council, or of selected members of the Corporation, sometimes joined with the city ministers, or with representatives of public bodies, such as the Incorporation of Trades. In very few instances is there any representative element other than members of Burgh Corporations. In the Philp Bequest, provision is made that eight of the trustees shall be elected by the inhabitants; and in the case of Dollar, where the trust was constituted under an Act of Parliament, two are chosen by the Parliamentary electors of the parish. For the Milne Institution, three of the directors are elected by the feuars of Fochabers. In country districts the trust is very commonly placed in the hands of the minister and kirk-session, with whom are occasionally joined neighbouring proprietors named in the trust deed, or the owners of certain properties in the districts. In the case of the Wallace Hall Academy, provision is made for gentlemen of the name of Wallace being always on the trust. In cases where the trust extends to an adjoining parish, the minister and members of the kirk-sessions of both parishes are usually included, and sometimes the moderator of the presbytery for the time being. The Sheriff or Sheriff-Substitute is frequently named in trusts, both in town and country, and sometimes the Members of Parliament for the burgh or county; the Principals of different Universities are named in some important trusts, and occasionally the Lord-Lieutenant of the county; the Lord President and the Lord Justice-Clerk are also occasionally appointed. The Writers to the Signet in Edinburgh have the management of two important trusts—the Dick Bequest and John Watson's Hospital.

Trusts
classified.Instances in
Towns.Country
Districts.*Ex officio*
Members.

Defects to which our attention has been specially directed.

Some complaints have been addressed to us with reference to defects in the constitution of governing bodies. The cases to which our attention has been chiefly directed are where the number of trustees is too limited, as in the case of the Madras Colleges at St. Andrews and Cupar, and the Ewart Institute, Newton-Stewart, or where *ex officio* trustees have other important duties to discharge, and are unable to give proper attention to the ordinary and active duties of the Trust. It sometimes happens that the governing bodies are too large and unwieldy. This is, in our opinion, the case at Dollar. Complaints have also been addressed to us of the undue preponderance of the influence of individual members,—as in the case of the minister or ministers of the parish or district, who, residing on the spot, and taking an active share in the management, naturally acquire more power.

Few complaints of failure of Trusts.

Very few complaints have been addressed to us of the failure of trusts through neglect on the part of trustees, or misapplication of funds. In one or two cases funds of small amount are said to have disappeared, and in one case* it is alleged that a sum, which under the original destination should have been invested in land, remained a charge on the property of the testator and his descendants; and in another case (Burnett Bequest, Saltoun),† that the administration is not in terms of the trust deed. Our attention was also invited to the state of an endowment for the support of a school and library, charged on the lands of Innerpefferay, in the county of Perth. According to a statement prepared for counsel in 1846, a copy of which was laid before us, the funds were not applied for the purposes of the trust for many years after 1779, the date of the foundation. Upon this statement a claim was made by persons interested in the neighbourhood on the proprietor, Lord Kinnoull, for the application of the endowment, with accumulated interest, to its proper purpose. The opinions of counsel were taken, but the question was never brought before any legal tribunal.‡ We would also direct attention to the case of Gatehouse Academy, where certain money and lands are alleged to have been diverted from their original destination. To justify us in expressing any opinion on these cases would have involved an inquiry of a character which we did not consider to be within our province. But as they have excited considerable local attention, we think it desirable to make special reference to them here.

The advantage of having some *ex officio* element.

On the whole, the evidence we have received is favourable to the administration of educational endowments by *ex officio* trustees, where they are not too few in number, and do not absorb

* Moffat—see Appendix, Vol. II.

† See Appendix, Vol. I.

‡ See Appendix, Vol. II.

too large a share in the administration. We think there are grounds for the complaints that have been addressed to us of occasional neglect owing to the pressure of official duties. We are of opinion, however, that in important trusts, the benefits of which are not confined to a limited district, official trustees are a valuable element; and it will be found that they have been very generally introduced in trusts constituted by Statute, or by the action of the Court of Chancery. The remedial measures we have to propose are required chiefly for cases where the trust is too narrow, or where there is a want of security that the public interests shall be duly regarded in the administration.

Before offering any suggestions on this subject, we would direct attention to the inquiries of the Education Commission of 1864 on burgh and middle-class schools, which, though confined to schools public in their constitution, have an important bearing on our inquiry. The schools which came under their review were—1st, Burgh schools under the exclusive administration of Town Councils; 2d, Academies where a proprietary element is joined to the Town Councils; 3d, Schools under trustees or managers entirely unconnected with the Town Councils. The latter class were too few to have had a material influence on the decision of the Commission. The conclusion at which the Assistant Commissioners arrived, and which was accepted by the Commissioners in their Third Report (pp. 11–14), was favourable to Town Councils as an element in the constitution of managing bodies; but they point out that there was considerable difference of opinion among teachers and others who were consulted by them in regard to those who ought to be associated with the Town Councils.

Result of the inquiries of the Education Commission of 1864.

Their views on the subject of the management by Town Councils.

The arguments for and against Town Councils are carefully summed up in the Report of the Assistant Commissioners in the chapter on the Constitution and Management of Burgh and Middle-class Schools, and we direct attention to them because they apply with more or less force to any system of management dependent on popular election only. Town Councils are said to have exercised their patronage with fairness and impartiality, and to understand the educational wants of their constituents. But they are a variable body, and, as a rule, too much inclined to regard merely the wishes of the community, without reference to what is best in the interests of education. To meet these objections, various recommendations were addressed to the Commissioners by persons interested in education who were consulted by them, having for their object the introduction into educational trusts of an independent element, which would give variety and weight to the constitution, either as representing other bodies,

They recommend the addition of some independent element.

such as the Universities or presbyteries, or in the form of assessors.

We attach importance to these recommendations, especially to the latter, and we think it may be adopted with advantage in cases of public functionaries whose duties are onerous, and of corporations.

Some of the Educational Endowments which formed the subject of our inquiry differ from those referred to by the former Commission, in that the duties of the Trusts are more varied, comprising the management of considerable property, and in many cases the administration of a charity, as well as the government of a school. We hold it to be of great importance that the trusts of large institutions should contain some element independent of the representation of popular constituencies; while, on the other hand, the trust should always contain members elected by those who have a direct interest in the good management of the school. The most simple way of effecting this would be by associating with the trust members of the School Board, or persons nominated by the Board; and the proportion in which this representative element should be introduced might vary, according as the education to be provided by the charity is Elementary or Secondary. If the education is to be Secondary, we think it essential that a considerable proportion of the trustees should belong to a class independent of local influences.

Inconvenience
arises from un-
wieldy or from
limited Trusts.

Our attention has been directed to the inconvenience which arises from the governing body being either too unwieldy or too limited. A body of trustees, to be efficient, should be large enough to secure the attendance of members active and interested in their duties, and to provide against occasional default from illness or other causes, but not so numerous as to weaken the responsibilities of individual members. The evils which may arise from a narrow trust are too obvious to require illustration. Representations were made to us of the narrowness of the governing bodies in the cases of the Madras College, Cupar, and the Madras College, St. Andrews. In both these cases the Assistant Commissioners who reported to the Education (Scotland) Commission, 1863 (Report, pp. 82 and 90), on the Burgh and Middle-class Schools, pointed out that the inconvenience which arose from the narrowness of the governing body is aggravated by the preponderance of one ecclesiastical denomination. In both cases the trustees have expressed a willingness to enlarge the trust; and the former made an application for that purpose under the Endowed Institutions Act, 1869, but were stopped by the law officers of the Crown, who held that the case did not fall within that Act.

As specimens of narrow trusts, we may quote the following:—

1. THE MADRAS COLLEGE, ST. ANDREWS, which is vested in the Provost of St. Andrews, the first and second ministers, and the Sheriff of the county. Examples of narrow Trusts.

2. MADRAS ACADEMY, CUPAR-FIFE, which is vested in the Provost, Dean of Guild, and two ministers of Cupar as directors.

3. THE ELGIN INSTITUTION (ANDERSON'S), which is vested in the Sheriff and Sheriff-Substitute of the county, the Provost of Elgin, the two Established Church ministers, and the Moderator of the Presbytery for the time being.

4. MORISON'S INSTITUTION, CRIEFF, the trustees of which are Sir James Gibson-Craig, Lord Moncreiff, the Hon. H. J. Moncreiff, Mr. Brodie, W.S., and Mr. Thomas Brodie.

5. THE EWART INSTITUTE, NEWTON-STEWART, which is vested in only two trustees.

6. THE FETTES COLLEGE, which is vested in five trustees.

7. STIELL'S HOSPITAL, which is vested in three only, all *ex officio*, with power to appoint the factor as a fourth trustee.

Instances of the governing bodies being very numerous are not so frequent. The governing body of Hutcheson's Hospital, Glasgow, consists of the large number of 72 persons. It included, previously to the passing of the late Act, all the members of the Town Council, fifty in number, and ten ministers of the Established Church. To these have been added three persons to be elected by the Trades' House, and three by the Merchants' House, and six ministers not being members of the Established Church. Cases where the Trustees are too numerous.

In the case of Heriot's Hospital, Edinburgh, there is a governing body composed of the Provost, Magistrates, Town Council, and thirteen city clergy, making in all 54.

In the case of Donaldson's Hospital, Edinburgh, the trust, as now constituted, consists of twelve *ex officio* governors and fifteen appointed by name, with provision for the annual retirement of three of the number, but subject to re-election.

The Dollar Trust is composed of thirty-one persons, is incorporated by Act of Parliament, and consists of three classes.* This attempt to give some variety to the composition of the Trust has given rise to local jealousies, which have found expression in the evidence given before us, and in the written statements submitted by members of the trust. Complaints are made, on the one hand, that the trustees connected with the parish and its immediate vicinity are overruled by the *ex officio* members and by the heritors; and that the number of the latter may be indefinitely increased, as it is not required by the Act that

* Second Report, p. 405; Evidence, 6342, 6524.

the property on which they qualify should be entirely within the parish.* It is said, on the other hand, that the local members, though a minority, constitute nearly one-half of the whole body, and enjoy a full share of the management, owing to their residence on the spot. On this subject we subjoin the remarks of the Assistant Commissioners who reported on this Institution to the Education (Scotland) Commission, 1864:—

Remarks of
Assistant Com-
missioners on
the Dollar
Trust.

‘There are, however, two points in connection with this Institution to which it is desirable to call attention, and these are—(1.) the very large number of trustees, and the fact that, owing to the property qualification introduced by the Act of 1847, this number may be increased almost indefinitely; and (2.) the restricted power of the principal.

‘The trustees, as we have already said, are thirty-one in number, and they, with the principal and one of the teachers, compose the managing body. The management by so large a body is inevitably capricious. “The responsibility,” as one of the trustees put it, “is very much diluted, and no meeting is ever the same as the one preceding, hence a shifting and irresolute policy.” “The business of the meetings,” we were told, “is impeded, and amid the conflicting views of a number of men, sometimes but partially acquainted with the real state of affairs, legislation is at times hasty and inconsiderate, just because it is scarcely possible to give to so large a body of men a just idea of the bearings of any particular case.” This diluted responsibility, and hasty, inconsiderate management, may at any moment lead to very serious results in the future of the Institution. One remedy suggested to us by some with whom we conversed was that, if it were practicable, the present body of trustees might form a kind of General Council, and select some six from among their number who should have the full management of all educational matters. These six might be elected for three years, and thereafter two of their number should retire annually.’

We are of opinion that the inconveniences which arise from defects in the constitution of this Trust are very much aggravated by its unwieldy character, and cannot fail to act prejudicially to the proper authority of the head-master; and that, in any modification of the trust, due care should be taken to retain a strong element, independent of local feeling.

Where the
Trust is a
fluctuating
body, there
must be a want
of stability.

Again, the changes which take place in the administrative body where it is fluctuating, as in the case of the Merchant Company of Edinburgh, must give a want of stability to the educational arrangements. Where so large and important a portion of the educational field is occupied by one body, and that in no way representative either of the interests of the town or of the country generally, it becomes a question whether new elements should not be added which may give steadiness to the management. These remarks receive illustration from recent proceedings of the Merchant Company. It appears that, under the recommendation of a committee of their number, some restrictions

Merchant
Company,
Edinburgh.

* Evidence, 6354, 6482, 6510.

have been placed on the educational plans of the Company, especially with reference to James Gillespie's foundation and the charities connected with it. We are glad to observe that the leading principles involved in the late reform, though assailed by individual members of the Company, remain unaltered.

In considering the constitution of the various trusts which have been brought before us, we are led to the conclusion that trusts should not be so limited in number as to narrow the view which the trustees may take of their duties, or make it difficult to secure a sufficient attendance; that they should not be so large as to distribute and so weaken the sense of responsibility; that, while recognising the importance, and indeed the necessity, of a certain proportion of local representation, they should contain elements which will be superior to mere local feeling and interests—and this is especially necessary in the case of secondary schools, which exist for the benefit of a larger section of the population than the parish in which they have been placed; and we consider further that they should be so constituted, by the addition of representatives of learned bodies, such as the Universities, as to secure a due regard to the educational system of the country, and to the place that the school over which they have charge should hold in that system.

General conclusions.

In considering the numbers of which such mixed trusts should consist, we are of opinion that such a rule as is laid down in the Education (Scotland) Act, 1872, for School Boards, viz. that the boards should consist of not fewer than five and not more than fifteen members, may be applied with advantage to the trusts of educational endowments. Where the endowments are applicable to maintenance as well as education, it might suffice to lay down, as a general rule, that they should be composed of not less than seven, and not more than fifteen.

The question of religious conditions in trusts as affecting their constitution is worthy of consideration. Provision for religious instruction is enjoined in nearly all the more important foundations. Sometimes this is set forth in general terms; in some testamentary documents the main object of the founder is said to be the promotion of the religious as well as the secular instruction of the young. Thus, in several institutions under the management of the Merchant Company, Edinburgh, the object of the different founders is set forth in similar terms, 'for the relief, maintenance, and instruction in the principles of our Christian religion. . . .' These general injunctions are not unfrequently accompanied, in other cases, by special provision for instruction in the standards of the Church of Scotland, or

Religious conditions.

Examples of such Trusts.

by express reference to the Shorter Catechism. On the other hand, the instances in which the destination of an educational charity is confined to the members of a particular communion are very rare. In some exceptional cases they are destined for the benefit of the children of members of the Established Church, or a preference is given to the children of members of a particular congregation. In only one case that has been reported to us is there an express exclusion of members of a particular communion from the benefits of the foundation. Almost equally rare are the instances in which denominational management is enjoined or implied. Putting aside funds in especial connection with the Established or Free Churches, or bequests of a general character, as the Ferguson Bequest, and which have been referred to in a former chapter, local endowments where managing bodies are required to be in connection with a particular communion are not numerous. The master is in only a few cases required to be a member of the Established Church. In one recent endowment, where the instruction is required to be in accordance with the standards of the Established Church, and the trust is a mixed one, partly composed of the minister and elders, and partly of public functionaries, there is a proviso that 'no Papist, no Puseyite, no Tractarian, no Socinian, no Arian, nor any man who by action or speech is known to defend, or to excuse, or to propagate the principles or practices of the sects here named, although they may deny or refuse the application to themselves, shall be allowed to be, or shall be entitled to act as, trustees of the said school and fund.'

Ministers of
the Established
Church are on
many Trusts.

The cases in which the managing body is composed more or less of ministers of the Established Church, as has been already said, are numerous; but no inference can be drawn from this of any desire on the part of the testators that special favour was to be shown to the children of parents in communion with that Church. In the absence of any special provision to the contrary, it is to be inferred that the testator contemplated that the instruction should be according to the usage of Parochial and Burgh Schools throughout the country. Where there is no reference in the trust to instruction in standards of the Church, the expressions are very general. In a few cases, chiefly of modern origin, it is enjoined that the teaching shall be unsectarian. In one instance it is provided that the school shall be on the model of the Manchester Secular School. In another, the endowment is to be applied so long as the Scripture is taught.

Presumed
views of
Testator as
to Religious
Instruction.

Reference to
Religious In-
struction is
more frequent
in the case of
Hospitals.

In institutions where provision is made for the board and maintenance as well as instruction of the young, references to religious instruction, as may be expected, are more numerous. The religious aims of Heriot are fully set forth in his testament,

and they are followed up by the statutes of Dr. Balcanquhall, Examples. which provide for the attendance of the children at the Greyfriars Church and for daily services by the master, with the curious proviso that 'the prayer is not to be conceived by the schoolmaster, but to be read by him every day as it shall be delivered to him, penned by the ministers of Edinburgh.' In other Hospitals provision is commonly made in the rules for attendance of the children at the Established Church; and where religious instruction is referred to, it is according to the received standards of the Church of Scotland. Where no special provision is made for religious instruction in these institutions or in endowed schools, the practice of giving it is very general. In answer to inquiries addressed to the managers of these schools as to the provision made for such instruction and for religious exercises, we are informed that the classes are commonly opened with prayer, and religious instruction in some form is given to an extent that may be said to be universal. Particular hours or days are devoted to this in their time-tables; and when the exact nature of the instruction given is not described, the practice seems to be almost equally divided between general instruction in the Scriptures, and the same teaching accompanied with dogmatic instruction according to the Presbyterian standards. The children are expected to attend during the Bible lessons or instruction in the Catechism, and in point of fact they generally do so; but we are assured that in all cases every facility is given for the exemption of those whose parents object. This permission, however, seems to be very little taken advantage of in the schools from which we have returns. Objections are occasionally taken; and we are informed in the return from the High School of Edinburgh, that though no one has objected to attendance at the prayer, Roman Catholic boys sometimes come in after the hour for religious instruction.

Even where there is no provision for Religious Teaching in the Trust, the practice is general.

We do not infer from these statements that the question of religious teaching is free from difficulties, and much must depend on the considerate feeling of managers, and especially of the teachers, to avoid cause for difference, especially in our large towns. On this subject we would refer to the evidence of Mr. Ogilvie, Head Master of George Watson's College School, one of the Merchant Company's Institutions, which is attended by children of various persuasions. The religious instruction is limited to prayer each day on the opening of the school, and the Scripture lesson; but instruction in the Catechism has been discontinued, on account of the representations made to the governors by some of the parents. To this teaching, so limited, very few objections are taken; and Roman Catholic children and

The question of Religious Teaching is not free from difficulty.

Evidence of Mr. Ogilvie.

Jews do not usually leave the class-room while the Scripture lesson goes on.

Complaints of administration as favouring members of the Established Church.

Though no objection has been taken, in the course of our inquiries, to the religious teaching in endowed schools, special grievances have been urged against the administration of some trusts, as unduly favouring members of the Established Church, to the exclusion of members of other communions. Such charges are difficult of proof, and no attempts were made to substantiate them. We think it our duty to refer to them, because all exclusive trusts must be exposed to such accusations. In any reorganization of the governing bodies, opportunity should be given for a fair representation of the general public where the benefits of the trust are open to all. This object can be attained better, in our opinion, by election of members from the community in which the endowment is placed, or from public bodies, than by placing the ministers of other persuasions *ex officio* on the trust.

The remedy for this.

Facilities are required to enable some Trusts to be transferred to School Boards.

It appears that the constitution of existing trusts offers only in rare cases any serious obstacle to their amalgamation, where amalgamation may be deemed to be expedient. Representations have been made to us that the conditions of trusts as to religious instruction have been found to prevent the transference of schools to School Boards, and have prevented these trusts being administered in harmony with the public system of the country. We consider that the subject calls for the attention of the Legislature.

Powers should be given to disregard certain injunctions in deeds.

Power should be given to relieve trustees from the necessity of enforcing injunctions in deeds forbidding the access to a school of members of a particular communion, or requiring that none but members of a particular communion shall be eligible as teachers of schools open to all.

XI.—POWERS OF REFORM.

WE have carefully considered whether the changes we have recommended can be best effected by an extension of the powers of the ordinary legal tribunals, or by some new machinery acting under the control of Parliament. In some cases the reforms proposed hardly exceed those which can be carried out under the ordinary jurisdiction of the Court of Session, but in others they involve a deviation from the intentions of the founders to which the sanction of an Act of Parliament is indispensable; and the authority to which this new jurisdiction may be entrusted will have to exercise discretionary power of an unusual and delicate character. In the opinion of the Lord Justice-General,* if any material change were made in the law of trusts, that is to say, if the law were so changed as to lead to setting aside any of the purposes of testators, and substituting something else for these, the safest way of giving effect to such alterations would be under the supervision of the Court of Session; and, for the discharge of such duties, the jurisdiction of the Court would require to be extended. The information we have received from the same authority, as to the existing practice of the Court of Session, has led us to the conclusion that the jurisdiction of that Court on these questions may be extended with advantage.

Can the reforms recommended be carried out by existing machinery?

Opinion of the Lord Justice-General.

In answer to a question whether there was anything in the practice of the Scotch Court similar to the *cy pres* doctrine in England, the Lord Justice-General replied:† ‘There are a great many applications of this *cy pres* doctrine; some of them we have, others we have not. If a man leaves an estate for a charitable purpose, which he has not very accurately or well defined, we should certainly help his trustees to work out his indefinitely expressed purpose, and do all we could to maintain the charity and make it workable. But the doctrine is carried a great deal further in England, and we certainly would not go the length that has been done there. I could illustrate my meaning by giving you a very authoritative statement of the application of the doctrine of *cy pres* by Sir William Grant, an eminent Chancery lawyer and judge. He says: “Whenever a testator is disposed to be charitable in his own way, and upon his own principles, we are not to content ourselves with disappointing his intention,

Cy pres doctrine stated by the Lord Justice-General.

* Evidence, 7853.

† *Ib.* 7849.

if disapproved by us." That is to say, supposing it an illegal purpose. Trusts for superstitious uses and the like used to be the most common example of that, or doing something that is forbidden by statute, although not wrong in itself. "We are not to content ourselves with disappointing his intention if disapproved by us, but we are to make him charitable in our way and upon our principle, if once we discover in him any charitable intention, that is supposed to be so liberal as to take in objects not only not within the intention, but wholly adverse to it." Now that doctrine does not exist in Scotland. You probably know some of the cases that occurred in England; the case where, for example, funds were left for the purpose of educating young men in the Jewish religion. That was supposed to be an unlawful purpose, and the consequence was, that the Court of Chancery gave the funds to the Foundling Asylum in London. That is one example of it, and there are many others. We don't carry the doctrine that length, and don't so apply it. If a trust were to come before us in which the purpose could not be carried out because it was against the law, we should hold the trust to be altogether invalid, and the estate in intestacy.'

It would not appear, therefore, that this principle has been applied in Scotland to educational endowments, except in the case of comparatively new trusts, where, owing to vagueness in the terms of the original deed, it has become necessary to apply for the authority of the Court to put the trusts in a practical shape, and prepare a scheme for its administration, and for the application of the funds with a view to give effect to the supposed intentions of the founder. But the instances in which the authority of the Court of Session has been even to this effect called into action are rare; while, in the case of old trusts, when the charity has taken any practical shape, we are informed by the Lord Justice-General that the Court would not lightly interfere.*

Action of the
Court of Ses-
sion on such
questions.

The action of the Court of Session in these matters has therefore been much more limited than that of the Court of Chancery. The former Court has been little resorted to by persons objecting to the course taken by trustees as to the kind of education provided, or in ordinary acts of administration, such as the management of the property, or the removal of schoolmasters or other officers; and the administration of Scottish trusts has been very little fettered by the narrow definition of a grammar school, which has raised so many difficulties as regards these schools in England. Very few acts of maladministration have come under our notice; and we attribute to this circumstance the absence of litigation to which we have referred, and which has encouraged in

* Evidence, 7887 *et seq.*

trustees a latitude in their administration which has no parallel in England. Great latitude exercised by Trustees in administration.

In Donaldson's Hospital, for example, a body of trustees, among whom were the Lord Justice-General and the Lord Advocate of the day, decided to apply a large portion of a fund, expressly destined for an hospital on the plan of the Orphan Hospital, Edinburgh, and John Watson's, to the establishment of a deaf and dumb asylum.*

The case of Fettes College has been elsewhere referred to. It is admitted by the Lord Justice-General in his evidence, that the easiest and most direct mode of carrying out such a general charitable purpose as was expressed in the will would have been to have added one more to the numerous Hospitals in Edinburgh. But this was not thought desirable; and the extensive powers given to the trustees by the terms of the will justified them, as they conceived, in establishing an institution new to Scotland, viz. a public school with a charitable foundation for its basis, on the model of the public schools in England. We do not question the soundness of the discretion exercised both in this case and that of Donaldson's Hospital. In both cases the trustees were influenced by the feeling that the educational charities of Edinburgh were overdone, and in the case of Fettes trust also by a desire to escape from the dangers to which the hospital system is liable.† We refer to them as illustrations of the freedom which has been used by trustees in carrying out charitable purposes, and that under the guidance of high legal authority. Case of Fettes College.

In the case of Dollar, again, the large available surplus of a fund destined for the poor has been employed in a manner which probably did not enter into the view of the founder. The application of that surplus to higher education was carried out by the advice of some of the most eminent lawyers of the day, who were of opinion that the proposed destination was within the legal powers of the trustees. The principles involved in this case are of such importance, in their bearing on the practice of Scotland in educational endowments, that we think it right to state them somewhat fully. Exemplified in the case of Dollar.

The history of the steps taken to carry out the founder's intention is fully given in the special Report on the Dollar Institution by the Assistant Commissioners to the Education (Scotland) Commission, 1864, and in the introduction to the statutes and rules of the institution published by the trustees. It appears that the testator directed one-half of his fortune to be vested in the funds for the endowment of a 'charity or school for the poor of the parish of Dollar;' but the executors declined to act, and the testator

* Evidence, 4159 *et seq.*

† *Ib.* 7728.

The action taken by the Trustees supported by high legal opinion.

having been resident in London, the money was thrown into Chancery. After some procedure the then Lord Chancellor decided that the Court of Chancery could not give any directions for the administration of the trust; and the final order of the Court simply confirmed the will of the testator in the very terms of the deed, leaving the trustees—the minister and elders of the parish—to the exercise of their discretion as to the disposal of the funds. The following statement is prefixed to the statutes and rules:—

Several legal
points con-
sidered.

Sec. 4. The funds bequeathed by Mr. M'Nabb, with so much benevolence and judgment, for the instruction of the poor of his native parish, turning out much more ample than was necessary for the establishment of a school for teaching merely the ordinary branches of education taught at parish schools, the trustees thought that it was within the sound exercise of the latitude given them by the very general terms of the will, to establish a great seminary of education in the parish, in which, while the immediate object of teaching the ordinary branches of instruction to the poor should not only not be neglected, but carried into execution in the most efficient way for their benefit, the door should also be opened to those who should be found possessed of the necessary talents to the higher and more important departments of art and science, through which they might more certainly elevate themselves in the ranks of society, and acquire honour and riches; and the trustees took their measures accordingly.

Sec. 5. Before proceeding, however, the trustees thought it right to take the opinion of counsel, both as to the extent of their powers under the will, and the soundness of the views which they entertained as to the application of the funds entrusted to them. Some of the most eminent counsel were accordingly consulted at different times, and the opinions of the whole of them tended to confirm the trustees in the conviction that their own views, both as to their powers and plans, were substantially correct.

Sec. 6. The counsel last consulted were Messrs. Cranstoun (now Lord Corehouse), Thomson, and Jeffrey—men undoubtedly at the head of their profession as lawyers, and whose names stand high in science and literature. They gave a joint opinion, which proceeds on the ground that the legacy was intended for the establishment of a school in the parish, as on a fact of which they had and could have no doubt; and with regard to the kind of school, they say—‘We think that the trustees have exercised a sound discretion in resolving to establish a great academy or seminary of education upon a scale suited to the means that have been given them by the donor; and that in this seminary it is *their duty* to establish teachers of all such branches of useful knowledge as in their opinion may be beneficial to those who are likely to attend the schools.’ ‘In this respect we apprehend that the powers of the trustees are ample and uncontrollable; but the more various and extended the department of instruction can be made, the more eminent the persons are who can be induced to settle as teachers or professors, and the higher the character of the school can be raised by the arrangements of every sort which it may be within the powers of the trustees to adopt, the more usefully and effectually will they accomplish the purposes of the trust, even in reference to that very small number of individuals who may be entitled to gratuitous admission.’

Sec. 7. The school being regarded as established on these principles,

the question of legal right to receive gratuitous education next presented itself. Who are comprehended under the description of 'the poor of the parish of Dollar,' the persons for whose immediate benefit the school was to be established, and who, in consequence, are entitled to attend it free of charge? On this important point the three learned counsel above named have replied—'We are of opinion that the persons entitled to demand gratuitous admission into the school are those *only* who come within the legal description of *the poor*, and who, as such, are recognised by the kirk-session as fit objects of parochial charity;' and the Lord Advocate Maconochie, in a separate opinion given by him, has answered the same question in these words—'I incline to be of opinion that the *only* persons entitled to claim the benefit of the charity under Mr. M'Nabb's will are those whose parents, by law, have a right to be upon the *poor's roll* of the parish of Dollar. They, I should think, would be held to be entitled to claim education at the different classes *gratis*.'

Sec. 8. The description of that class of persons who are legally entitled to gratuitous education at the school being fixed, a further question presented itself for solution, namely—Can the trustees allow no other persons in the parish, except poor scholars, on any terms to attend the classes of the institution; or, in the fair and proper exercise of the discretionary power reposed in them by the testator, may they permit other persons resident in the parish to attend, on payment of such fees as they shall fix?

Sec. 9. The answer of Messrs. Cranstoun, Thomson, and Jeffrey, on this is—'We are of opinion that it will redound greatly to the prosperity and usefulness of this establishment, and that indeed it is essential to its success, that the various classes should be thrown open to the admission of scholars, whether natives of the parish or occasional settlers; not indeed as gratuitous pupils, but on payment of such dues to the foundation, or fees to the masters, as shall be found reasonable, and as shall be from time to time regulated by the trustees themselves.'

Sec. 10. And, on the same subject, Lord Advocate Maconochie has said, in his opinion—'I see nothing in the will to prevent the establishment of a school for the purpose of educating the poor of the parish of Dollar, but to which other persons, upon payment of adequate fees, to be ascertained and fixed by the trustees, shall be admitted. In fact, it may be only in this way that the proposed establishment can be made beneficial, or placed upon a footing to accomplish the objects in view. Accordingly, I believe that in many of the schools and colleges in England, which have been founded for the purpose of educating certain descriptions of poor, the poor scholars upon the foundation are educated *gratis*; while others are admitted to study on the payment of fees.'

Sec. 11. But further, it has been asked, on behalf of the poor of the parish, Does not the general bequest 'for the benefit of a charity or school for the poor,' authorize the trustees to give further assistance to poor scholars than mere gratuitous instruction in the classes?

Sec. 12. Messrs. Cranstoun, Thomson, and Jeffrey have given a distinct opinion on this subject also, in the following words, viz. :—'We are of opinion, that if the funds of this charity be sufficient for the purpose, it will be within the discretion of the trustees, not merely to afford gratuitous instruction to the poor scholars, but to afford occasional assistance to those who are eminently deserving during the period of their attendance at the schools; and to assist those who are industrious and well-behaved in prosecuting mechanical profession; and in case of promising genius and talents, to enable them to complete their studies in the established universities of the country.'

The principle involved in these opinions.

These opinions may be held to involve the general principle, that when charitable funds are greater in amount than was originally contemplated, their uses may be extended or modified by the action of the trustees, without any special application to the Courts of Law or to Parliament for the purpose. They show further, that, in the judgment of the gentlemen consulted, it was important to the success of such a charity that the school should not be confined to the poor, but 'thrown open to the admission of paying scholars, whether natives of the parish or not.' The action of the trustees, in accordance with these views, was, however, challenged by certain of the parishioners, and a lengthened litigation ensued in the Court of Session; but it was not pressed to a final decision.

Litigated in the Court of Session, but no decision given.

Litigation with regard to the Hutton Bequest.

The action of the trustees of an important foundation in Dumfriesshire (the Hutton Bequest) also led to litigation in the Court of Session. In 1843 the minister of the parish of Caerlaverock brought an action against his co-trustees, the elders of the parish. From the pleadings it appears that he complained of various points in the management of the trust, especially the proportion in which the funds were applied to the main objects of the founder,—education and relief of the poor; and maintained that it was 'unsafe and most improper for the trustees to take upon themselves the application of the increased income of the charity funds, and to administer and distribute the same in manner foresaid without judicial authority.' The defenders, while admitting that 'the increased funds of the trust had been applied to extended purposes, or to the purposes pointed out by the testator, in a more liberal degree than he had naturally contemplated,' yet contended that no case for judicial interference had been made out. The Court, however, appointed the parties to lodge schemes for the application of the funds; and finally remitted these schemes and objections to be reported upon by Mr. Gordon, then Government Inspector of Parochial Schools in Scotland. The following statement of the case was given to us by Mr. Gordon; and it may be regretted that no decision was given in a case which has such important bearings on educational charities:

'94. *The Chairman*.—You have referred to the parish school of Caerlaverock?—In this case the kirk-session were the managers appointed by the testator; and the bequest, amounting then in its produce to upwards of £500 a year, and now to upwards of £750 a year, was to be divided partly "in adding to the means of education in the parish, and partly in the maintenance of its poor." A process of declarator was brought before the Court of Session by the minister of the parish, alleging that "dissatisfaction had been expressed by parties interested in the management of the bequest, the bequest being considered as limited in its provisions to the

two objects of education and the help of the poor." The question related mainly to the proportion due respectively to each of these two objects.

'95. How did that matter come before the Court of Session?—Because of its *nobile officium* in dealing with such matters. . . . The Court directed an inquiry into the state of education and circumstances of the poor in the parish, and the consequent report by myself appears in the minutes of Council, 1845. It was there observed: "If the several allowances assigned by the testator to the teachers, bursars, and apprentice, be not all augmented in the same proportion; nay, if other means besides those which the testator had specified be proposed for the better promotion of education in the parish, it is understood that changes of that description may be competently made, if deemed expedient by the trustees, and sanctioned by the Court. Mr. Russell, barrister in Chancery, whose opinion was obtained in this case, observes that 'the proportions in which the smaller income was originally distributed need not be observed where it is expedient that they should be departed from,' and that 'if means permit, new objects of bounty may be introduced of a nature analogous to those which are specified in the deed.'"

'96. Did that conclude the process?—No. Before the Court had decided, the process lapsed by the deposition of the pursuer from his office as minister of the parish.'

The present state of the charity is reported on at pp. 145-8.

We are not aware that the exercise of discretionary powers by trustees in cases analogous to those which we have referred to has been frequently matter of litigation in the Scottish Courts.

We are informed, however, that steps have been recently taken to call in question the legal right of the trustees of an important foundation in the neighbourhood of Edinburgh to introduce changes not dissimilar to some of those already referred to. The nature of the changes, and the reason which influenced the trustees, are fully given in the evidence of one of their number, the Rev. W. Caesar.* Their aim, as explained by him, was to open the school to paying pupils, and to improve the quality of the education given in the higher classes, without encroaching on the fund for the charitable purposes of the institution. As the case is now pending before the Court of Session, we abstain from offering any further remarks on its bearing on our inquiry, and only advert to it in illustration of the difficulty which, in the present state of the law, trustees may encounter in the endeavour to carry out changes, however beneficial, without the approval of some authority especially empowered to sanction such changes.

In our opinion, it is indispensable to the proper working of educational trusts that a power should be vested in some authority to modify them from time to time, and adapt them to altered circumstances which could not have entered into the views of the founder. And we think that, as a general rule, this will be

* Evidence, 5443-45.

Additional powers should be conferred on the Court of Session.

found especially requisite in the case of trusts of long standing—those very trusts with which the Courts of Law are at present reluctant to interfere. We therefore recommend that powers should be conferred on the Court of Session, more extensive than it at present appears to possess, to alter and modify the purposes of testators when it may seem expedient and just so to do; for example, to apply trust funds to new objects, whenever the funds have increased in value so as to be more than sufficient to provide for the direct or presumed intentions of the founder; to relieve the trustees from the necessity of holding strictly to rules of the foundation which, in the working of the trust, are found to be inexpedient; or to introduce changes in the constitution of the governing bodies on the application of the trustees, or of parties interested in the trust. It appears from the evidence of the Lord Justice-General, that the existing powers of the Court would not authorize such action; and especially that the Court feels bound to maintain the constitution of the trust as left by the testator, and he does not consider that the Court would feel justified in interfering, unless under circumstances which would make the trust otherwise inextricable.* It is obvious that inconvenience may arise in the working of a trust short of the extreme case here referred to. Some instances have been given in our remarks on governing bodies, to which we think a remedy might be fittingly applied by the action of a Court of Law, if empowered to do so by statute.

Proceedings only to be allowed with concurrence of Lord Advocate.

In applications to the Court of such a character, the concurrence of the Lord Advocate should be required. A check of this kind, analogous to the *ex officio* proceedings of the Attorney-General in England, seems requisite to guard against capricious or vexatious proceedings, either on the part of trustees, or of individuals having a supposed interest in the foundation.

Lord Westbury's evidence.

We are aware that opinions have been expressed by high legal authorities, in the course of the inquiries into the administration of educational endowments in England, against entrusting to the Court of Chancery any large discretionary power in modifying such trusts. Lord Westbury, in his evidence before the Schools Inquiry Commission, in answer to a question whether he thought it desirable that either the Privy Council or any court of justice should have a large discretionary power, replied as follows:—‘I think the Privy Council would act with advantage. There would be an opportunity for numerous applications; these applications would be tried by the necessity of the case, the number of the inhabitants, the existing endowment, and the

* Evidence, 7853 *et seq.*, 7867.

opportunities that would be presented of the school being an instrument of good. I think all that might be tried well by the Privy Council. I am little disposed to entrust large discretionary powers of that kind to a court of justice. The habits of a court of justice unfit them for those large views which should regulate the exercise of such powers.' * These views are repeatedly enforced in the course of his evidence. In recommending that these powers should be exercised by the Privy Council, he proposed to form a special committee permanently constituted for the purpose; and he threw out the suggestion that application might first be made to the Charity Commissioners with an opportunity of appeal to the Privy Council. The opinion here given has reference chiefly to the extent of the discretion to be conferred, and to the expediency of confining any power of completely changing the destination of funds to an executive body such as the Charity Commissioners.

On the other hand, there are not wanting high authorities who Other evidence recommended a considerable extension of the powers of Chancery, so as to give to its judges a wider discretion in dealing with the intention of founders, concurring in this respect with the opinion of the Lord Justice-General.† Lord Hatherley was strongly in favour of a power of revising the rules, as laid down by the founder, after a certain number of years, and would confer that power on the Court of Chancery. Mr. Fearon, Solicitor to the Attorney-General in Crown charity suits, proposed a concurrent jurisdiction in the Court of Chancery and in the Charity Commissioners in the cases of the alteration of the objects of the charity beyond the doctrine of *cy pres*.‡ Lord Romilly, though not disposed to increase the discretion of the Judges, was anxious to relieve the Court from the weight of adhering strictly to the rules of the founder, and would increase its powers in dealing with old charities,§ but on the whole was favourable to an extension of the jurisdiction of the Charity Commissioners for all acts of administration that do not involve a point of law; and this last opinion was largely shared by other witnesses who gave evidence before the same Commission.

No such administrative body exists in Scotland; but if the Education Board were continued as an administrative department, we should be disposed to recommend that they should be entrusted with powers similar to those now exercised by the Charity Commissioners in educational matters; and considering There is no existing administrative body in Scotland.

* Schools Inquiry Commission—Evidence, 16,634, 16,676.

† *Ib.* 12,851-54, 13,433.

‡ *Ib.* 13,277.

Ib. 13,457.

the knowledge which the Board possess of the educational condition of the country, we think they would be a fitting body for the exercise of such powers.

In the absence of any such administrative body, we have recommended above that the equitable jurisdiction of the Court of Session should be extended with reference to Educational Trusts.*

The recommendations we have here made are in our opinion required for the permanent administration of the law relating to educational charities; and if such powers were given to the Court, reliance might be placed upon it to modify the uses of such endowments from time to time, and relieve trustees from a too strict adherence to the rules of the founder, whenever the inexpediency of such adherence can be well established.

Action of
Courts of Law
inadequate to
the forms re-
quired.

We do not, however, consider that the action of the Courts of Law can be depended upon to give effect to all the reforms we have recommended in our Report. They can only act upon application shown, and at the instance of parties interested; and they are necessarily influenced by the judicial habit of deciding rather according to strict construction of legal documents than with regard to what on public grounds is most expedient. The natural unwillingness of trustees to incur expense or responsibility by instituting suits, and the difficulty of procuring the concurrence of the different members of old-established trusts in considerable changes, especially when they may affect the constitution of the governing body, must render the action of the legal tribunals in such matters uncertain.

A temporary
Executive
Commission
recommended.

The working of the Endowed Institutions Act has shown an enlightened sense of the necessity of reform on the part of the trustees of some of the most important endowments in Scotland. But we cannot rely on permissive legislation alone: the changes we recommend, especially those affecting the constitution of trusts, could only be carried out effectively under the superintendence of an authority which would take the initiative in each case.

For these reasons we are of opinion that a temporary Executive Commission should be appointed, authorized to deal with these questions on grounds of public expediency, with reference to the educational wants of the different localities in which the various institutions are placed; and that the Commission should be entrusted with power to prepare schemes dealing with the constitution and administration of trusts, which, if opposed, should not become law until they received the final sanction of Parliament.

We desire, in conclusion, to express the high sense we entertain of the value of the services rendered by our secretary, Mr. S. S. Laurie, in carrying out the various duties which devolved upon him. We have derived especial advantage from his great knowledge of the educational system and institutions of Scotland, and we feel particularly indebted to him for conducting many local inquiries beyond the usual scope of his duties as secretary, and which he undertook by our desire.

XII.—SUMMARY OF GENERAL RECOMMENDATIONS CONTAINED IN THE PRECEDING REPORT.

I. With regard to Hospitals :—

- (1) Charity foundationers should in general be boarded out in families; and for those who cannot advantageously be placed in families, provision should be made in Boarding-houses.
- (2) Hospital Schools should be thrown open to all, at moderate fees, as Day Schools, the instruction being adapted to the circumstances of the locality in which each foundation is placed. Where convenient, Foundationers should attend Public or other Elementary Schools.
- (3) The number of Charity foundationers should generally be reduced, and in some cases contributions towards their maintenance should be required.
- (4) A considerable proportion of the places on each foundation should be thrown open to competition among boys who have completed a course of Primary instruction, either in schools connected with the foundation or elsewhere.

II. With regard to Endowments in connection with Elementary Schools :—

- (1) Pupils paying fees should be admitted to all Endowed Elementary Schools, a sufficient number of places being reserved for necessitous cases. The Endowment should generally be applied so as to give advanced instruction in the school; and promising scholars, who without assistance might not be able to prolong their school life, should be enabled by means of the Endowment to continue their attendance.
- (2) In all parishes in which the Rate does not exceed 3d. in the pound, it should be made imperative on School Boards to apply Endowments held in connection with Public Elementary Schools to the

purposes indicated in the 46th section of the Education (Scotland) Act, 1872, viz. to increase the efficiency of the school, by raising the standard of education or otherwise.

- (3) Endowments for the payment of fees in Elementary Schools should be employed to a moderate extent in aiding persons who find great difficulty in defraying the cost of their children's Elementary education ; but where any Endowment so employed bears an undue proportion to the population, some part of that Endowment should be applied to promote Higher instruction in the district to which it belongs.
- (4) Trustees of Educational Endowments not specially connected with Public Schools, and therefore not falling under section 46 of the Education (Scotland) Act, 1872, should be empowered to depart from the strict letter of the Trust, with a view to promote Higher instruction.

III. With regard to Endowments for Higher instruction :—

- (1) Inasmuch as provision has been made by law for Elementary, but not for Secondary Schools, we recommend that where the reasonable objects of any foundation can be attained without expending the whole revenue, the surplus should be applied to promote Higher instruction in the vicinity of the foundation, either by directly aiding Secondary Schools, such as the Higher-class Public Schools scheduled in the Education (Scotland) Act, 1872 ; or by the establishment of Bursaries to be held at such schools ; or by improving the Higher instruction in Public Schools in the country districts.
- (2) Bursaries tenable at Secondary Schools should be the reward of merit. When a trust-deed specially favours poverty, this condition will in most cases be best observed by limiting the competition to pupils of Public Schools ; but others should be admitted to competition on the parents satisfying the Trustees that they require assistance in the education of their children. Small Bursaries should be combined.

IV. MIXED ENDOWMENTS.—With regard to Mixed Endowments, —that is to say, Endowments partly charitable and partly educational,—the proportion to be set apart for charity and education

respectively should be clearly defined. Any Executive Body to whom may be entrusted the duty of revising the Educational Endowments of Scotland should be empowered, with the consent of Trustees, to apply purely charitable funds to education, wherever these have been destined, or are applied, to purposes which, from change of circumstances, are unsuited to the present day, or are insignificant compared with the magnitude of the Endowment.

V. With regard to University Endowments :—

- (1) Bursaries in the patronage of public bodies should be thrown open to competition.
- (2) Bursaries in the gift of private individuals under £10 annual value should be combined, so as to form Bursaries or Scholarships of higher value, and these should be open to competition.
- (3) For all other Bursaries in private hands, or locally restricted, the Universities should be empowered to prescribe the standard of qualification ; and in the event of no qualified candidate presenting himself, the Bursary should be, for that turn, thrown open to competition.

Some of our number are of opinion that all presentation and restricted Bursaries should be thrown open.

VI. The Trustees of all Endowments should be relieved from restrictions in favour of particular names. Restrictions in favour of persons having kindred with the family of the founder should be subject to a statutory limitation.

VII. All Endowed Educational Institutions and Schools should be periodically examined and reported on by qualified Inspectors appointed by the Education Department or by the Universities, and the accounts of the Trusts should be annually rendered to the Accountant appointed under the Education (Scotland) Act, 1872, who should transmit an abstract of the same to the Scottish Education Department.

VIII. The accounts of Educational and of Mixed Charities generally should be annually examined and audited, and where the funds amount to more than £50 a year, a balance-sheet should be made public through a local newspaper, or otherwise.

IX. There should be a public Register of all Endowments wholly or partly Educational.

X. With regard to Governing Bodies:—Power should be given to modify the constitution of Trusts in cases where the Trustees are too many or too few. In reconstituting Trusts, regard should be had to the representation of local interests; but in all Trusts where the benefits extend over a considerable district, or where the education is Secondary, the Governing Body should be constituted partly of members independent of local influence, and in general should include *ex officio* members, or assessors appointed by them.

XI. Powers should be given to combine Trusts, and to transfer them to School Boards, with the consent of the Trustees.

XII. Power should be given to relieve Trustees from injunctions in deeds forbidding the access to a school of members of a particular denomination, or requiring that members of only one Church shall be eligible for the office of teacher in schools which are open to all.

XIII. To carry out these and other reforms, we recommend that an Act be passed conferring the necessary powers on a temporary Executive Commission. Extended powers of dealing with Trusts should also be conferred upon the Court of Session.

THOS. EDWD. COLEBROOKE.

ROSEBERRY.

WILLIAM STIRLING-MAXWELL.

CHARLES STUART PARKER.

JOHN RAMSAY.

HENRY H. LANCASTER.

A. CRAIG SELLAR.

SIMON S. LAURIE, *Secretary*.

February 15, 1875.



TABULAR SUMMARIES OF STATISTICS.

N.B.—Any slight discrepancy that may be found between the following Summaries and the more detailed Statements in the First and Second Reports arises from the fact that the figures have been brought up to date in the case of Funds of growing value.

TABLE 1.

TABLE OF THE ENDOWED HOSPITALS IN SCOTLAND.

N.B.—Those which are now also public or day schools are printed in Italics : in these cases the capitacion cost of the Foundationers cannot be precisely estimated.

The estimate of cost per head is based on the actual expenditure, not on the whole revenue.

For full Details regarding Hospitals, see Appendix, Vol. I.

DESIGNATION OF HOSPITAL.	Locality.	Founda- tioners.	Revenue.	COST PER HEAD.*		
				Education.	Maintenance.	TOTAL.
Boys and Girls',	Aberdeen	100	£1,758	£1 9 0	£15 2 0	£16 11 0
Gordon's,	"	176	5,611	5 7 0	17 18 0	23 5 0
Orphan and Destitute Female Children's,	"	50	917	1 2 0	15 11 0	16 13 0
Orphan (Female) Asylum,	"	46	1,075	1 13 0	19 6 0	20 19 0
Shaw's,	"	10	285	1 4 0	22 18 0	24 2 0
Spier's,	Ayrshire		1,500			
Muirhead's,	Dumfries	10	342	1 2 0	15 11 0	16 13 0
Morgan's,	Dundee	90	2,505	4 2 0	24 1 0	28 3 0
Orphan Institution.	"	55	995 +	3 6 0	14 7 0	17 13 0
Cauvin's,	Duddingston	26	990	5 4 0	36 0 0	41 4 0
Donaldson's,	Edinburgh	220	8,980	5 2 0	30 0 0	35 2 0

Donor	180	18,950†	11 10 0	43 8 0	54 18 0
Heriot's,	50	7,000			
Fettes College,	65	4,880			
Merchant Company, { <i>Merchant Maiden</i> ,	55	7,127			
<i>Watson's (George)</i> ,	37	3,453			
<i>Stewart's</i> ,	90	2,063			
Orphan,	48	1,772			
Trades' Maiden,	100	4,555			
Watson's (John) Institution,	43	1,800			
Elgin Institution,	6	184			
Scott Institution,	8	180			
Brooklands,	12	480			
<i>Douglas Free School</i> ,	11	740			
Schaw's,	0	764			
<i>Stiell's</i> ,	22	339			
Speyside Charity School,	1510	£79,245			

* Not including the value of buildings.

Not including the value of buildings.
 † Only £420 of this is from capitalized funds; the rest is from subscriptions. The revenue was, for year ending 31st December 1873, £18,950, but only £9886 of this sum was spent on strictly Hospital purposes, the rest being devoted to Free Schools, Bursaries, and Apprentice Fees.

TABLE

ABSTRACT showing the Annual Value of Endowments chiefly for applied under the following heads:—1. Endowed Elementary Poor Children; 4. School Bursaries and Prizes; and 5. Educational reported to the Commissioners as destined for Education, but not

For Details of this Table,

COUNTY.	(1) Endowed Elementary Schools.			(2) Addition to Salaries of Teachers.			(3) Payment of Fees for Poor Children.		
	£	s.	d.	£	s.	d.	£	s.	d.
Aberdeen (incl. Burgh of)	1542	12	7	240	14	4	445	16	1
Aberdeen), . . . }									
Argyll,	235	0	0	93	3	9 $\frac{3}{4}$	24	10	1
Ayr,	1241	7	3	205	5	8	445	15	5
Banff,	345	0	0	107	3	5	84	17	0
Berwick,	16	0	0	1	10	0	60	3	0
Bute, . . . . .	...			100	0	0	15	12	0
Caithness,	59	5	0	55	0	0	201	8	9
Clackmannan,	221	10	0	12	0	0	...		
Dumbarton,	24	0	0	121	13	4	42	10	0
Dumfries,	295	10	9	172	18	11	94	14	11
Edinburgh (incl. Burgh of)	2021	6	1	151	16	2	49	19	10
of Edinburgh), . . . }									
Elgin,	180	0	0	63	11	9	29	14	0
Fife,	580	12	8	413	8	7 $\frac{1}{2}$	338	13	0
Forfar (incl. Burgh of)	326	8	0	232	0	0	852	4	2
Dundee), }									
Haddington, . . . . .	...			209	9	4	55	6	0
Inverness,	581	0	0	18	0	0	88	0	0
Kincardine,	197	16	8	63	13	1 $\frac{1}{2}$	46	0	6
Kinross, . . . . .	...			16	0	0	8	0	0
Kirkcudbright,	230	3	11	321	4	8	32	3	4
Lanark (incl. Burgh of)	9760	18	1 $\frac{1}{2}$	498	7	8	1170	13	4
Glasgow), }									
Linlithgow,	80	0	0	53	10	0	2	2	0
Nairn, . . . . .	...			107	2	4	...		
Orkney,	292	0	0	202	0	0	160	0	0
Peebles,	44	0	0	52	17	9	...		
Perth,	1256	17	0	460	13	10	185	12	4
Renfrew,	1057	17	3	182	12	0	30	15	0
Ross and Cromarty,	223	0	0	167	4	0	22	0	0
Roxburgh, . . . . .	...			45	0	1	99	12	7
Selkirk, . . . . .	...			50	0	0	53	5	6
Shetland, . . . . .	...			22	12	0	42	5	0
Stirling,	470	18	0	66	6	8	20	0	0
Sutherland, . . . . .	...			...			9	0	0
Wigtown,	300	0	0	50	0	0	27	9	4 $\frac{1}{2}$
Total,	£21,583	3	3 $\frac{1}{2}$	4556	19	5 $\frac{3}{4}$	4738	3	2 $\frac{1}{2}$

NOTE.—Endowments for 'Education and Maintenance' are classed under Col. 4 as in Col. 5 are entered sums applied to the Maintenance of School Buildings, and the generally all endowments which are administered at the discretion of the Trustees.

2.

Elementary Education in actual operation in each County of Scotland, Schools; 2. Addition to Salaries of Teachers; 3. Payment of Fees for Purposes generally; also, the Estimated Annual Value of Endowments yet in operation.

see this Vol., pp. 1-236.

(4) School Bursaries and Prizes.			(5) Educational Purposes Generally.			(6) Endowments <i>not yet in Operation.</i>			TOTAL.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
493	19	0	76	1	7	92	7	11	2891	11	6
20	0	0	2	8	10	...			375	2	8 $\frac{3}{4}$
84	17	0	223	7	4	191	6	8	2391	19	4
701	10	7	12	0	0	215	10	0	1466	1	0
0	1	3	0	17	0	...			78	11	3
...			44	8	6	...			160	0	6
...			9	0	0	250	0	0	574	13	9
...			33	0	0	...			266	10	0
...			3	0	0	...			191	3	4
39	8	0	94	4	10	12	0	0	708	17	5
471	7	5	141	1	0	...			2835	10	6
45	18	0	4	13	4	64	0	0	387	17	1
5	5	0	139	17	6	822	5	9	2300	2	6 $\frac{1}{2}$
1425	4	2	88	2	6	460	0	0	3383	18	10
...			...			...			264	15	4
13	14	10	13	0	0	...			713	14	10
0	16	0	7	12	0	342	0	0	657	18	3 $\frac{1}{2}$
...			5	0	0	...			29	0	0
42	7	7	18	12	4	205	3	10	849	15	8
197	4	2 $\frac{3}{4}$	244	12	11	3118	4	4	14,990	0	7 $\frac{1}{4}$
4	0	0	22	10	0	53	0	0	215	2	0
...			...			...			107	2	4
1	0	0	101	10	0	...			756	10	0
7	15	0	1	15	0	60	0	0	166	7	9
169	5	0	22	14	0	160	0	0	2255	2	2
115	4	3	56	0	1	135	0	0	1577	8	7
5	0	0	...			...			417	4	0
...			49	0	0	...			193	12	8
2	15	0	10	0	0	70	0	0	186	0	6
0	12	0	...			...			65	9	0
4	0	0	10	8	0	149	4	0	720	16	8
...			1	6	10	400	0	0	410	6	10
13	0	0	...			...			390	9	4 $\frac{1}{2}$
3864	4	3 $\frac{3}{4}$	1436	3	7	6800	2	6	42,978	16	4 $\frac{1}{2}$

BURSARIES.

Payment of Feu-duties, Maps, Bibles, School-books for Poor Children, etc. etc., and

ABSTRACT of ENDOWMENTS for ELEMENTARY EDUCATION in the FOUR LARGE TOWNS, already embraced in the preceding Table 2.

BURGHs.	(1) Endowed Elementary Schools.	(2) Addition to Salaries of Teachers.	(3) Payment of Fees for Poor Children.	(4) School Bursaries and Prizes.	(5) Educational Purposes generally.	(6) Endowments <i>not yet in Operation.</i>	TOTAL.
Aberdeen, . .	£ 891 15 5 s. d.	£ 19 10 9 s. d.	£ 110 3 10 s. d.	£ 310 18 6 s. d.	£ 21 8 6 s. d.	£ 50 11 4 s. d.	£ 1,404 8 4 s. d.
Dundee, . . .	25 0 0	...	421 17 6	1402 12 10	86 0 0	364 0 0	2,299 10 4
Edinburgh, . .	1,426 18 1	78 0 0	...	20 10 0	76 0 0	...	1,601 8 1
Glasgow, . .	9,382 13 1½	389 16 4	755 0 0	194 14 2¾	91 7 0	2971 4 4	13,784 15 0¼
TOTAL, .	11,726 6 7½	487 7 1	1287 1 4	1928 15 6¾	274 15 6	3385 15 8	19,090 1 9¼

N.B.—See Explanatory Note to the General Abstract.

TABLE 3.

ABSTRACT OF SECONDARY SCHOOL ENDOWMENTS.

For Details, see Second Report, and p. 319 supra.

	ANNUAL REVENUE.		
	Teachers' Salaries, etc.*	Bursaries, Scholarships, and Prizes.	TOTAL.
Aberdeen Grammar School, .	£668 0 0	£318 2 5	£986 2 5
Annan Academy, . . .	119 0 0	...	119 0 0
Arbroath High School, . .	175 0 0	...	175 0 0
Ayr Academy, . . .	230 0 0	...	230 0 0
Banff, Wilson's Institution and Banff Grammar School, .	160 0 0	111 9 6	271 9 6
Bathgate Academy, . . .	516 13 0	...	516 13 0
Brechin, Preceptory of Maison- dieu,	50 0 0	2 15 0	52 15 0
Burntisland Grammar School, .	40 0 0	...	40 0 0
Caerlaverock, Hutton Hall Aca- demy,	†75 0 0	19 7 0	94 7 0
Closeburn School, or Wallace Hall Academy,	620 0 0	...	620 0 0
Crieff, Morison's Academy, .	820 0 0	...	820 0 0
Cupar, Madras Academy, . .	486 17 8	...	486 17 8
Cupar-Fife, Baxter Institution,	60 0 0	...	60 0 0
Dollar Institution,	1,872 0 0	128 0 0	2,000 0 0
Dumbarton Burgh Academy, .	100 0 0	...	100 0 0
Dumfries Academy,	253 16 0	4 4 0	258 0 0
Dundee High School, . . .	465 0 0	279 14 3	744 14 3
Edinburgh High School, . .	791 4 10	110 0 0	901 4 10
Elgin Academy,	120 0 0	25 10 0	145 10 0
Fochabers, Milne's Free School,	700 0 0	...	700 0 0
Forfar Academy,	90 0 0	...	90 0 0
Forres Academy,	95 0 0	4 0 0	99 0 0
Fraserburgh Academy, . . .	195 15 1	...	195 15 1
Glasgow High School, . . .	730 6 7	11 15 0	742 1 7
Glenalmond, Trinity College, .	Grounds and Buildings.	...	...
Greenock Academy,		99 8 0	244 8 0
Haddington Burgh Schools, .	45 0 0	...	45 0 0
Carry forward,	£9623 13 2	£1114 5 2	£10,737 18 4

* Under this head are included payments from the Common Good (Education (Scotland) Act, section 46).

† The Hutton Bequest is separately reported on, the above being only the portion of the endowment at present paid to the teacher.

SECONDARY SCHOOL ENDOWMENTS—*continued.*

	ANNUAL REVENUE.								
	Teachers' Salaries, etc.			Bursaries, Scholarships, and Prizes.			TOTAL.		
Brought forward,	£9623	13	2	£1114	5	2	£10,737	18	4
Hamilton Academy, . . .	11	2	4	...			11	2	4
Inverness Royal Academy, .	162	13	4	1028	9	11	1191	3	3
Irvine Royal Academy, . .	115	0	0	...			115	0	0
Kirkcudbright Academy, . .	195	0	0	26	0	0	221	0	0
Kirriemuir, Webster's Seminary,	179	16	1	...			179	16	1
Lanark Burgh School, . . .	40	0	0	110	5	9	150	5	9
Leith High School,	Buildings.			...			...
Lerwick, Anderson Educational Institute,	196	13	4	...			196	13	4
Linlithgow Burgh School, .	50	0	0	...			50	0	0
Moffat Grammar School, . .	45	17	8	...			45	17	8
Montrose Grammar School, .	150	0	0	128	0	0	278	0	0
Nairn, Rose's Institution, . .	136	2	6	...			136	2	6
Newton-Stewart, Ewart Insti- tute,	*320	0	0	...			320	0	0
Paisley, King James' Grammar School,	125	0	0	...			125	0	0
Paisley, The John Neilson In- stitution,	494	14	1	...			494	14	1
Peebles, Burgh Grammar School,	100	0	0	...			100	0	0
Perth Academy and Grammar School,	200	0	0	...			200	0	0
Peterhead Academy,	65	19	1	...			65	19	1
Renfrew Grammar School, .	141	17	11	...			141	17	11
St. Andrews, Madras College, .	1,100	0	0	...			1100	0	0
Stirling High School, . . .	422	0	0	...			422	0	0
Tain Royal Academy, . . .	200	0	0	...			200	0	0
Thurso, Miller Institution, .	68	0	0	...			68	0	0
	£14,143	9	6	£2,407	0	10	£16,550	10	4

In addition to the above, the following Burgh Schools may be classed as Secondary—Old Aberdeen Grammar School, Edinburgh Academy, Falkirk Grammar School, Kilmarnock Academy, Musselburgh Grammar School.

They are excluded from the above list because they have no endowments.

* Exclusive of interest expected from the trustees of Miss Janet Ewart.

TABLE IV.

TABLE SHOWING THE NUMBER OF PUPILS IN THE MOST ADVANCED CLASS OF THE
SECONDARY ENDOWED SCHOOLS OF SCOTLAND (SESSION 1872-73).

Name of School.	Classics.	Mathematics.	Modern Languages.	Work done, see 2d Report, page
Aberdeen Grammar School . . .	47	44	6	341
Annan Academy	8	2	8	345
Arbroath High School	10	5	20	350
Ayr Academy	6	13	10	358
Banff, Wilson's Institution and Banff Grammar School	7	7	0	361
Bathgate Academy	10	6	25	364
Brechin, Preceptory of Maisondieu . .	4	4	2	368
Burntisland Grammar School . . .	8	6	6	371
Caerlaverock, Hutton Hall Academy	10	8	6	374
Closeburn, Wallace Hall Academy . .	1	0	5	377
Crieff, Morison's Academy	14	16	27	387
Cupar, Madras Academy	5	3	15	398
Cupar-Fife, Baxter Institution . . .	...	...	...	...
Dollar Institution,	21	7	9	411
Dumbarton Burgh Academy	24	27	24	420
Dumfries Academy,	7	3	18	422
Dundee High School.	7	7	24	436
Edinburgh High School	20	29	26	446
Elgin Academy	12	11	7	451
Fochabers, Milne's Endowed School .	22	17	40	457
Forfar Academy	9	20	11	462
Forres Academy	2	1	7	467
Fraserburgh Academy	2	8	3	470
Glasgow High School	31	13	35	474
Glenalmond, Trinity College	7	5	10	480
Greenock Academy	17	9	49	488
Haddington Burgh Schools	0	0	0	...
Hamilton Academy	6	5	4	494
Inverness Royal Academy	20	20	14	499
Irvine Royal Academy	5	22	3	504
Kirkcudbright Academy	6	12	10	506
Kirriemuir, Webster's Seminary . . .	11	1	4	512
Lanark Burgh School	15	8	9	515
Leith High School	12	4	18	519
Lerwick, Anderson Educational Institute	6	3	7	522
Linlithgow Burgh School	2	4	13	525
Moffat Grammar School	3	6	6	527
Montrose Grammar School	12	11	7	530
Nairn, Rose's Institution	3	10	5	533
Newton-Stewart, Ewart Institute . .	9	34	20	538, 543
Paisley, King James' Grammar School	7	6	4	549
Paisley, The Neilson Institution . .	60	15	50	557
Peebles Grammar School	5	5	5	560
Perth Academy and Grammar School	36	91	52	567
Peterhead Academy	6	4	6	570
Renfrew Grammar School	10	12	9	575
St. Andrews, Madras College	28	25	24	582
Stirling High School	5	15	10	598
Tain Royal Academy	4	15	3	602
Thurso, Miller Institution	25	17	6	605
	607	616	682	

TABLE 4.

ABSTRACT OF GENERAL AND MIXED ENDOWMENTS.

For full Details of this Table, see Appendix, Vol. I.

Designation.	Locality.	Annual Revenue.
<i>General Endowments—</i>		
Dick Bequest,	Counties of Aberdeen, Banff, and Moray,	£4,300 0 0
Milne Bequest,	Aberdeenshire,	1,900 0 0
Philp Bequest,	Fifeshire,	2,380 0 0
Bell Bequest, Residue, etc.,	Scotland generally,	770 0 0
Society for Propagating Christian Knowledge,	Scotland generally,	6,500 0 0
Maclean Bequest,	Scotland generally,	670 0 0
Other Funds,	Scotland generally,	598 0 0
	Total,	£17,118 0 0
<i>Mixed Endowments—</i>		
Hutton Bequest,	Dumfriesshire,	£900 0 0
Gillespie's Hospital,	Edinburgh,	1,700 0 0
Hutcheson's Hospital,	Glasgow, (net)	14,000 0 0
Allan's Hospital,	Stirling,	700 0 0
Cowane's Hospital,	Do.	2,000 0 0
Cunningham's Hospital,	Do.	210 0 0
Spittal's Hospital,	Do.	750 0 0
	{ Counties of Dumbarton, } Renfrew, Lanark, Ayr, } Wigtown, and Kirk- } cudbright, }	16,080 0 0
Ferguson Bequest,		
	For Education, say,	18,640 0 0
	Total,	£35,758 0 0

T A B L E 5.

ABSTRACT OF UNIVERSITY ENDOWMENTS IN SCOTLAND FOUNDED SINCE 1808.

For Details, see end of Second Report, and Supplementary Table, Appendix, Vol. I., p. 427.

UNIVERSITY.	ANNUAL REVENUE.			
	Chairs.	Bursaries.	Fellowships, Scholarships, and Prizes.	TOTAL.
St. Andrews,	£215 0 0	£673 14 2	£559 0 0	£1,447 14 2
Glasgow,	2,291 0 0	1,748 0 0	2,267 10 0	6,306 10 0
Aberdeen,	2,234 17 9	1,328 5 0	423 0 0	3,986 2 9
Edinburgh,	3,392 0 0	2,034 1 4	3,322 0 0	8,748 1 4
Common to more than one University, .	...	892 0 0	640 0 0	1,532 0 0
	£8,132 17 9	£6,676 0 6	£7,211 10 0	£22,020 8 3

TABLE 6.—ANALYTICAL ABSTRACT OF BURSARIES TENABLE AT THE SCOTTISH UNIVERSITIES.

NOTE.—Any slight discrepancies between this Table and the Tables at the end of the 2d Report arise from the fact that the Endowments are here brought up to the present date.

UNIVERSITIES where Tenable.	When Founded.	IN THE GIFT OF						HOW AWARDED.						TOTAL.			
		Universities (a).		Public Bodies (b).		Trustees and Associations (c).		Private Patrons.		Limited Competition (d).		Open Competition.				Presentation.	
		No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.			No.	Value.
ST. ANDREWS	Prior to 1808— Subject to Ordinance of Universities Commis- sion of 1858	1	£30 0 0	2	£18 10 0	1	£11 5 1	12	£285 16 8	...	...	1	£30 0 0	15	£315 11 9	16	£345 11 9
	Not subject to Ordinance	35	354 12 0	4	62 10 0*	...	...	8	90 16 7	2	£30 0 0	32	313 12 0	13	164 6 7	47	507 18 7*
	Since 1808	18	298 1 6	3	76 0 0	13	255 0 0	5	44 12 8	18	197 1 6	11	311 0 0	10	165 12 8	39	673 14 2
	TOTAL	54	£682 13 6	9	£157 0 0	14	£266 5 1	25	£421 5 11	20	£227 1 6	44	£654 12 0	38	£645 11 0	102	£1527 4 6
GLASGOW	Prior to 1808— Subject to Ordinance	15	£271 0 0	3	£37 13 4	1	£8 0 0	...	...	4	£80 0 0	11	£191 0 0	4	£45 13 4	19	£316 13 4
	Not subject to Ordinance	2	55 0 0	16	164 11 6	7	290 0 0	22	£675 16 8	7	290 0 0	7	75 0 0	33	820 8 2	47	1185 8 2†
	Since 1808	28	602 0 0	5	62 0 0	42	961 0 0	7	123 0 0	48	1171 0 0	12	231 0 0	22	346 0 0	82	1748 0 0
	TOTAL	45	£928 0 0	24	£264 4 10	50	£1259 0 0	29	£798 16 8	59	£1541 0 0†	30	£497 0 0	59	£1212 1 6	148	£3250 1 6†
ABERDEEN.	Prior to 1808— Subject to Ordinance	58	£878 0 0	12	£238 2 0	...	...	6	£90 4 0	9	£181 2 0	56	£832 0 0	11	£193 4 0	76	£1206 6 0
	Not subject to Ordinance	41	522 10 0	34	449 0 0	...	...	59	1408 10 0	30	413 0 0	42	532 10 0	62	1434 10 0	134	2380 0 0
	Since 1808	50	947 0 0	8	148 0 0	6	£104 10 0	6	128 15 0	33	715 10 0	17	231 10 0	20	381 5 0	70	1328 5 0
	TOTAL	149	£2347 10 0	54	£835 2 0§	6	£104 10 0	71	£1627 9 0	72	£1309 12 0§	115	£1596 0 0	93	£2008 19 0	280	£4914 11 0§

EDINBURGH	Prior to 1808— Subject to Ordinance . . .	14	£189	8 7	...	...	7	£101	15 6	...	...	7	£108	17 9	14	£182	6 4	21	£291	4 1		
	Not subject to Ordinance . . .	13	134	9 11	20	£436	15 0	9	57	5 8	...	...	...	...	42	628	10 7	42	628	10 7		
	Since 1808 . . .	12	247	7 6	40	1129	8 0	1	12	0 0	41	£1085	5 10	15	484	0 0	16	464	15 6	72	2034	1 4
	TOTAL . . .	39	£571	6 0	60	£1566	3 0	17	£171	1 2	41	£1085	5 10	22	£592	17 9	72	£1275	12 5	135	£2953	16 0
More than One University.	Prior to 1808— Subject to Ordinance . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Not subject to Ordinance . . .	...	...	...	1	£15	0 0	1	£14	0 0	...	...	...	...	2	£29	0 0	2	£29	0 0	0	0
	Since 1808 . . .	1	£25	0 0	10	£128	0 0	5	120	0 0	30	£565	0 0	...	17	327	0 0	47	892	0 0	0	0
	TOTAL . . .	1	£25	0 0	10	£128	0 0	6	£134	0 0	30	£565	0 0	...	19	£356	0 0	49	£921	0 0	0	0

(a) Includes Senatus, individual Colleges, and Faculties.

(b) Includes Town Councils, Incorporations, Synods, Presbyteries, Kirk-Sessions.

(c) Includes Trustees, County Associations, Societies, Clubs.

(d) Includes all Bursaries limited, either by restrictions or preferences, to localities, classes, and names. The Aberdeen Town Council Bursaries, though strictly presentation, are included in this column, because they are given after public competition under certain restrictions.

* Exclusive of the 'Ferguson' Bursaries, which are at present in abeyance.—See Appendix, Vol. I. p.

† Including the 'Exchequer,' 'Hamilton,' and 'Dundonald' Bursaries, which are regulated by Acts of Parliament.

‡ Including the 'John Clark' Bequest for Bursaries and Scholarships (£1200 per annum), not yet in full operation, of which £600 is classed above as Bursaries of £30 each.

Including the 'William Guild' Bursaries, in the gift of the Incorporated Trades, Aberdeen.

¶ Exclusive of the 'Agnes Nairne' Bursary, in the gift of the University, but at present in abeyance.

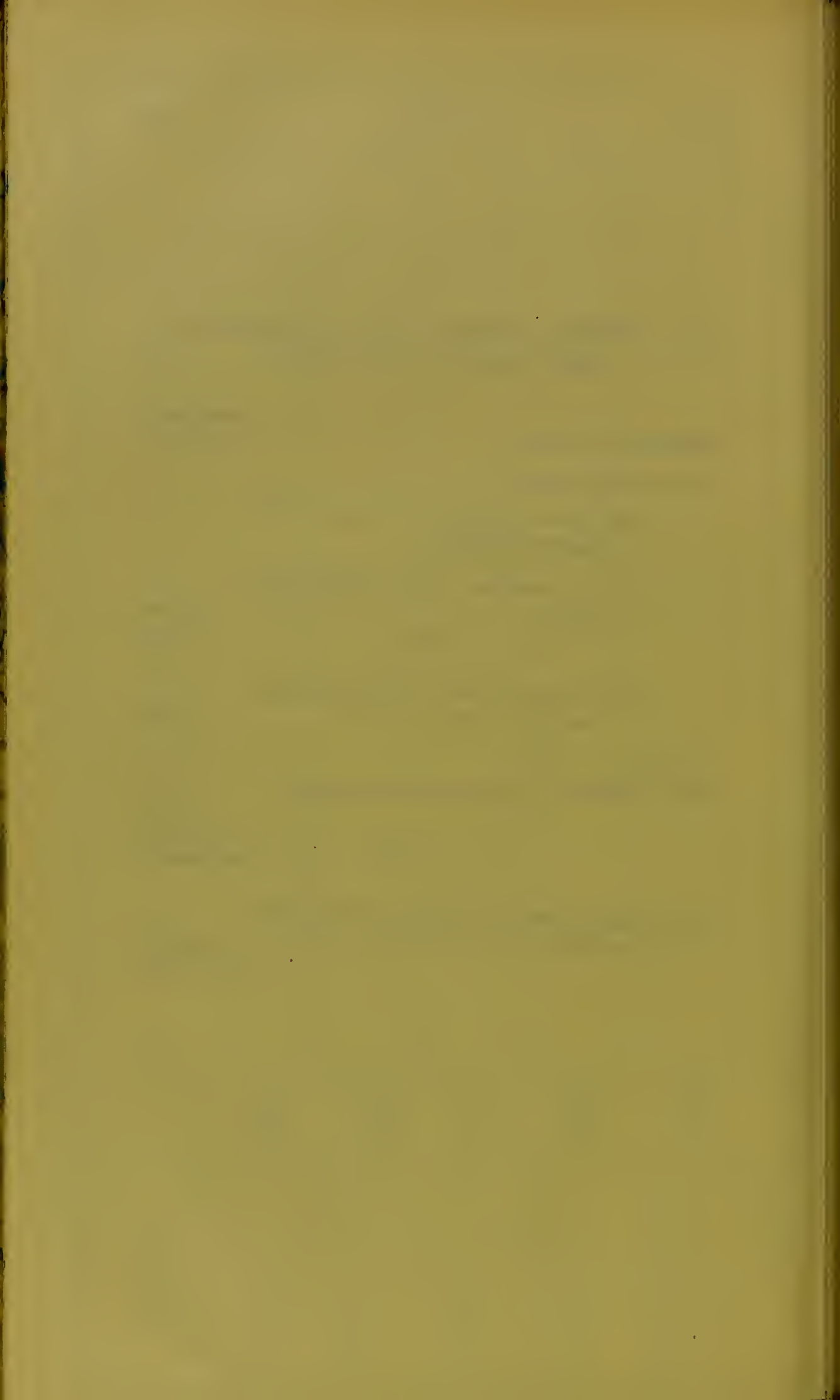
UNIVERSITIES where Tenable.	Titles.	FOUNDED PRIOR TO 1808.				FOUNDED SINCE 1808.				TOTAL.	
		Subject to Ordinance.		Not subject to Ordinance.		Subject to Ordinance.		Not subject to Ordinance.			
		No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.
ST. ANDREWS . . .	Scholarships . . .	2	£100 0 0	...	£20 0 0	...	...	8	£390 0 0	10	£490 0 0
	Prizes . . .	...	...	2	...	...	...	20	169 0 0	22	189 0 0
	TOTAL . . .	2	£100 0 0	2	£20 0 0	...	...	28	£559 0 0	32	£679 0 0
GLASGOW . . .	Fellowships . . .	...	...	...	£1540 0 0	...	£429 0 0	4	£429 0 0	4	£429 0 0
	Scholarships . . .	...	...	14	17 10 0	...	1719 0 0	23	1719 0 0	37	3259 0 0
	Prizes . . .	...	...	3	...	...	119 10 0	6	119 10 0	9	137 0 0
ABERDEEN . . .	TOTAL . . .	...	...	17	£1557 10 0	...	...	33	£2267 10 0	50	£3825 0 0*
	Scholarships . . .	9	£590 0 0	...	£55 0 0	...	£220 0 0	3	£220 0 0	12	£810 0 0
	Prizes . . .	...	...	2	...	3	£168 0 0	1	35 0 0	6	258 0 0
EDINBURGH . . .	TOTAL . . .	9	£590 0 0	2	£55 0 0	3	£168 0 0	4	£255 0 0	18	£1068 0 0
	Fellowships . . .	...	...	...	...	...	£844 0 0	8	£844 0 0	8	£844 0 0
	Scholarships . . .	...	...	...	...	3	£280 0 0	27	1868 0 0	30	2148 0 0
More than one University	Prizes . . .	...	...	...	...	...	330 0 0	12	330 0 0	12	330 0 0
	TOTAL . . .	...	...	...	...	3	£280 0 0	47	£3042 0 0	50	£3322 0 0
	Fellowships . . .	...	...	...	...	...	£160 0 0	1	£160 0 0	1	£160 0 0
Scholarships . . .	...	...	...	...	...	480 0 0	6	480 0 0	6	480 0 0†	
TOTAL	TOTAL . . .	...	...	...	...	...	£640 0 0	7	£640 0 0	7	£640 0 0

* Including the 'John Clark' Bequest for Bursaries and Scholarships, of which £600 is entered here as Scholarships of £50 each.—See note on preceding page.

† 'Ferguson' Scholarships, 2d Report, pp. 659, 694, for '3, £240,' read '6, £480.'

IV. GENERAL SUMMARY OF EDUCATIONAL ENDOWMENTS IN SCOTLAND.

	Annual Revenue.
Hospital Endowments,	£79,245
School Endowments :—	
1. Endowments <i>mainly</i> in connection with Elementary Schools :—	
(a) In Aberdeen, Dundee, Edinburgh, Glasgow,	19,090
(b) In the rest of Scotland,	23,889
2. Endowments <i>mainly</i> in connection with Secondary Schools,	16,550
General Endowments,	17,118
Mixed Endowments (Educational portion only),	18,640
	<hr/>
TOTAL,	£174,532
	<hr/>
University Endowments, including Chairs (founded since 1808),	£22,020
	<hr/>



ANALYTICAL INDEX OF EVIDENCE AND RETURNS.

HOSPITALS.

HOSPITAL RETURNS, FIRST REPORT, pp. 511-771.

I. ABERDEEN :

Hospitals.

1. BOYS AND GIRLS'—
Finance, 899.
Beneficiaries, 903, 4941, 4957.
Instruction, 899, 910, 4962.
2. FEMALE ORPHAN ASYLUM—
Beneficiaries, 915, 4941, 5056.
Instruction, 925.
3. GORDON'S—
Management, 4880, 4922, 4980.
Finance, 888, 4936, 4996.
Beneficiaries, 863, 3696, 3717, 4882, 4973.
How selected, 953, 3707, 3742, 4883, 4890, 4904, 5065.
After career, 4917, 5057.
Demand for admission to, 5028.
Instruction, 862, 1019, 3719, 4962, 4976.
Reform proposed, 879, 4895, 4964, 4983, 5024, 5061 (*cf. contra*, 4999).
4. ORPHAN AND DESTITUTE ASYLUM—
Beneficiaries, etc., 937.

II. AYRSHIRE :

1. SPIER'S BEQUEST—
Management, 9049.
Difficulties in, 8978.
Suggestions, 8989, 8998, 9057.]
Finance, 8990, 9010.

See also Appendix, Vol. I.

III. DUDDINGSTON

1. CAUVIN'S—
Management, etc., 190, 3498.
Finance, 190.

NOTE.—*Burgess*—Description of, and class now corresponding to, 1755, 1776, 2620, 2804, 3178, 3318, 6807, 6831, 6859.

Hospitals.

IV. EDINBURGH:

1. DONALDSON'S—

Management, 3564, 4150.

Finance—

Investment, etc., 4204, 4306.

Expenditure, 3767, 4234.

Organization, etc., 3749, 3776, 3791, 4155, 4198, 4294.

Beneficiaries, 3566, 3754, 3763, 3804, 4158, 4175, 4219, 4291.

Deaf and Dumb—their claims, etc., 3489, 3494, 3799, 4167,
4180, 4267, 4284, 4303.

After care, 4210, 4262.

Demand for admission to, 4173, 4181.

Instruction, 4262.

2. FETTES COLLEGE—

Object of bequest, 7718, 7728.

Management, 7723, 7821.

Finance, 7817.

Organization, 7739, 7873.

Exhibitions and Scholarships, 7754, 7806, 7817, 7903.

Fees, 7749.

Attendance, 7744.

Foundationers—Number, 7744.

How selected, 7732, 7783.

Instruction—Examinations, 7879, 7926.

Curriculum, 7891.

Teachers, 7769, 7794, 7914.

3. HERIOT'S—

Management, 2700, 3186, 3277, 6914.

Finance—

Revenue:

Ordinary, 1585, 1653, 1705.

Casual, 1586, 1668.

Estimated (for year 1878), 1625, 1713.

Source of increasing, 1619, 1817.

Original bequest by Heriot, 2793.

Sinking fund, 1644, 1733.

Expenditure:

On present establishment, 1717, 1725.

On out-door schools, 1653, 2956.

On bursaries and apprentice allowances, 642.

Appropriation of surplus revenue, 1636.

Organization, 145, 609, 638.

Beneficiaries, 582, 620, 1446, 1774, 1786, 2532, 2760, 2811, 3178.

How selected, 588, 1746.

Instruction, 146, 154.

Building accommodation, 628, 664.

Reform suggested, 546, 615, 1440 (cf. *contra*, 2616), 1491, 1540,
3172, 3365, 6807, 6818.Provisional order, 1773, 1790, 1811, 2602, 2831, 2996, 3098, 3157,
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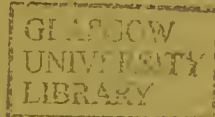
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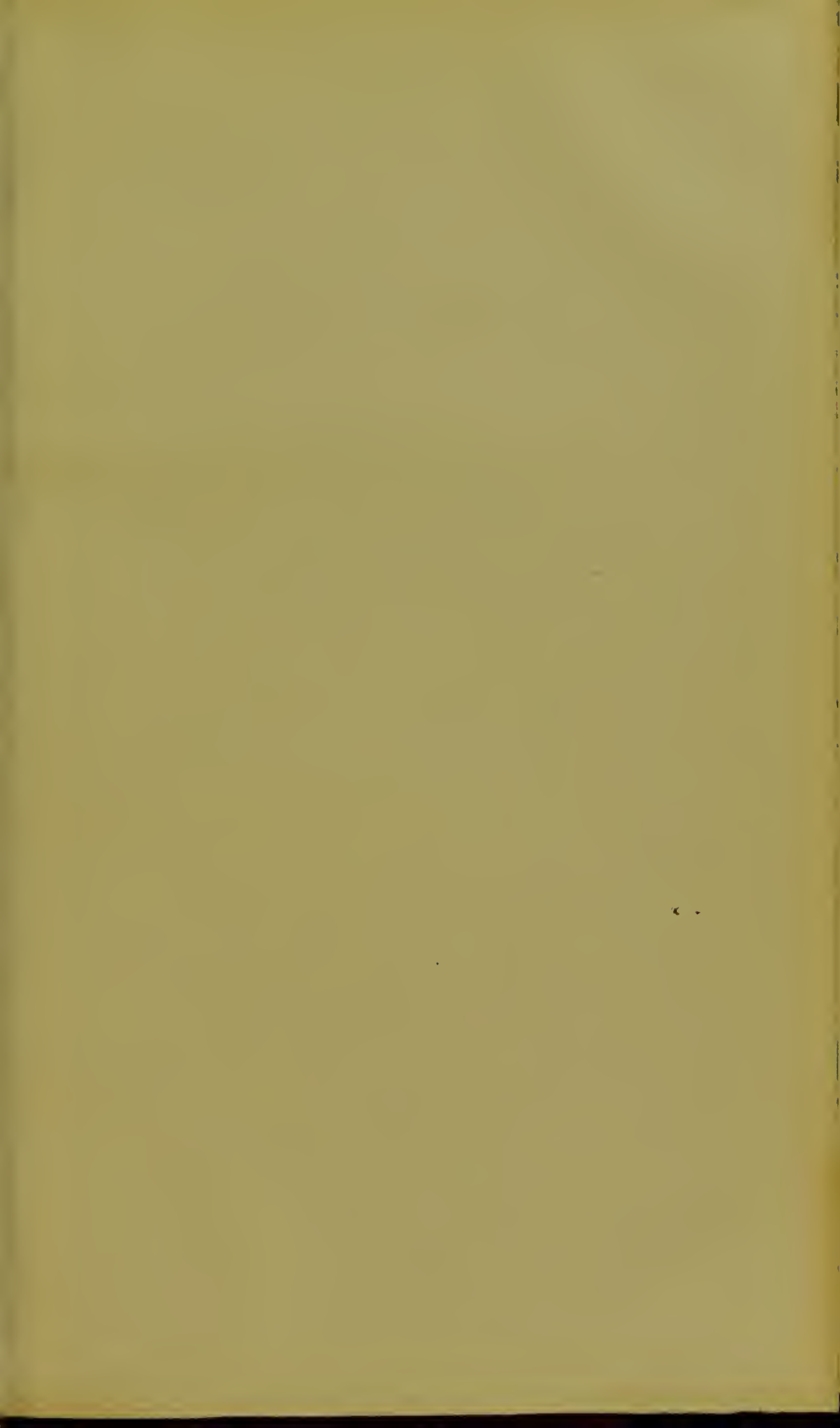
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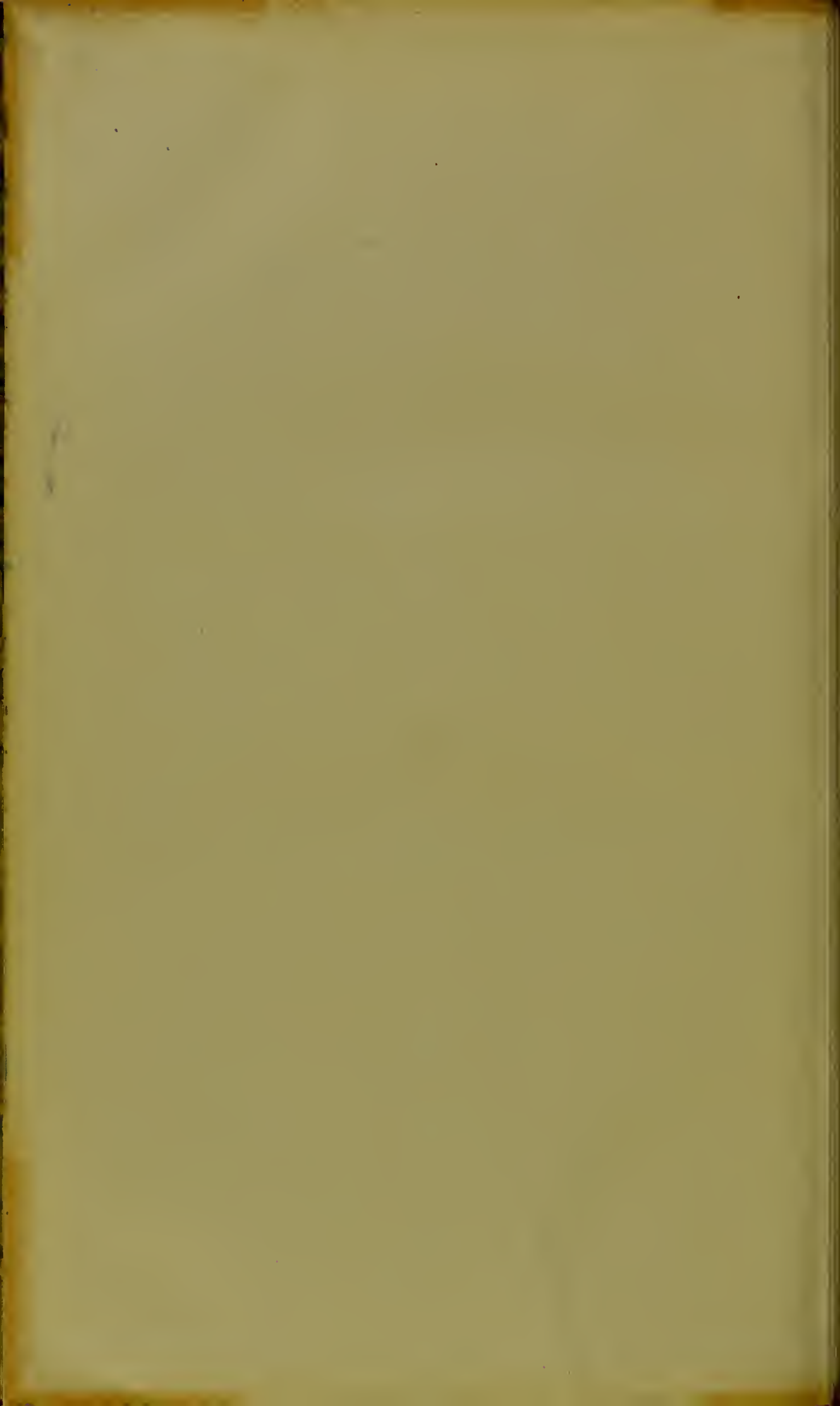
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